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# THE ANNALS

OF THE

ROYAL SOCIETY

OF LONDON

1703



**I. The Addresses at the Annual Meeting of  
the National Child Labor Committee**

**Held in New York City, February 14 to 16, 1905.**

The following is a list of the  
names of the persons who  
were present at the meeting

## CHILD LABOR IN THE UNITED STATES AND ITS GREAT ATTENDANT EVILS

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BY FELIX ADLER, PH. D.,

Professor of Political and Social Ethics in Columbia University and Chairman of the National Child Labor Committee.

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“‘How long,’ they say, ‘how long, Oh, cruel Nation, will you stand to move the world on a child’s heart;  
Stifle down with a mailed heel its palpitation, and tread onward to your throne amid the mart?’”

There are many centenaries that have received attention of late; there is one that has been almost ignored, and yet it well deserved to be remembered. Two years ago a hundred years had elapsed since the first act was passed by the British Parliament to abate the evils of child labor. England industrially is the most advanced country in the world, and English economic history shows the good and evil sides of industrial civilization writ large. A momentary glance at the conditions which called forth the Factory Act of 1802 and the legislation that followed will serve as a useful introduction to our subject. Briefly, the facts were these:

The pauper children of London workhouses were being fed to the machine, almost as the children in the ancient idolatry were fed to Moloch. Pauper children whom nobody owned, deserted waifs, orphans left on the parish—a burden on the rate payers—were sent by hundreds and thousands to supply the demand for cheap labor on the part of the factories, which at this time were everywhere springing up. These puny laborers—many of them not over seven years of age—were worked to death. But that hardly mattered, because the workhouse supply was sufficient to fill up the depleted ranks. The workhouses at first even paid a small premium to the manufacturers for taking their wards off their hands. The children were lodged in rough barracks, were cruelly driven

by their taskmasters while at work, their food was of the worst description, they were forced to labor often fourteen hours, and they were decimated by disease. It was this state of things that provoked the law of 1802, but this law was the barest beginning. The law applied only to pauper children, and it was soon found necessary to protect children also against the pitiless egotism or the desperation of their own parents. The law applied only to certain industries, and it was found necessary to extend it to others. With the substitution of steam for water power, manufactories were transferred to cities, and the demand for cheap labor grew apace. It was felt that an age limit of some kind—below which children might not be employed—must be set. The efforts to do so were strangely hesitant and inadequate, but at least the principle of an age limit came to be recognized. In 1833 it was estimated that 56,000 children between nine and thirteen were employed in factories, a whole army of child workers; but nine was a high limit compared with what in many branches had been customary. Before the Children's Employment Committee a man named Apsden testified. Pointing to his boy, he said: "This boy when he was seven years old, in winter I carried on my shoulders across the snow to his place of work, and he would work for sixteen hours." What a picture; the man rousing a child of seven from his sleep, forcing him out of bed in the dark winter morning, trudging with him on his back across the snow, and depositing the little fellow, seven years old, to work for sixteen hours. And then another picture, for he adds: "I have often knelt at his side and given him food while he was working, because he was not allowed to leave the machine." If you wish to realize what child labor means, think of the inmates of London workhouses systematically done to death in the Yorkshire factories. Think of Apsden and his seven-year-old boy, and then think—if you can bear to do so—of another picture! For till now only the factories and not the mines had been touched. In the year 1842 evidence was taken as to the state of things in the coal mines. Children began their work in the mines sometimes as early as at five years of age. Little girls were found to make ten or twelve trips a day up steep ladders to the surface, carrying heavy loads of coal in wooden buckets on their shoulders. For the development of little girls into womanhood, what an admirable device! Women and girls, half nude, worked side by side with boys and men wholly so; every considera-

tion of human decency was flung to the winds. And in Mr. Cheyney's book on "The Industrial History of England," which usefully summarizes these facts, you will find a picture representing a woman crawling on all fours, dragging through a passageway about two feet high a car containing three or four hundredweight of coal by a chain attached to a girdle around her waist. And this is described as a common form of labor. This is the third picture which I would ask you to bear in mind. Progress has been made since then; the regulation of the labor of women and children—with the latter alone we are concerned now—has been more and more extended, though the task is not yet completed. The problem of production in the sweating trades has not yet been solved, and there are still other problems to be met.

And now I wish to pause a moment to ask a question, for it is not my purpose at this time to dwell on the horrors that prevailed in the past, and as you will presently learn prevail amongst us to-day to no inconsiderable extent, any more than I can help for the purposes of the argument and the plea which I want to submit to you. But I do want to ask a question which constantly obtrudes itself on my mind: How is it that members of the human species can behave with such cruelty as did the mine owners who employed women to drag coal cars, creeping on hands and knees with a chain attached around their waist, and how is it that manufacturers can be so merciless—I suppose many of them had children of their own, and must have known what a tender thing a child of seven years is—as to drive the little Apsden boy and his fellows for sixteen mortal hours in the mill; or so lost to all respect for human life as those employers who fed the workhouse children to their machines? I take no comfort in denouncing such men, or those who follow in their footsteps at the present day. There is a vulgar proverb that he who cuts off his nose disfigures his own face. These persons are men of the same human species as ourselves; their conduct reflects dishonor upon us all. Are we then still so brutal; is the belief that there is a better nature latent in us merely a pleasant fiction?

Perhaps an explanation is possible which will leave us a margin of hope for the future. It appears to me that periods of sudden expansion are the times in which the greatest moral recklessness is exhibited and the ordinary moral scruples are most apt to be set



aside. This thought might be illustrated by the history of colonial expansion, of military expansion, even of artistic expansion—as at the time of the Renaissance; but especially by the history of industrial expansion. New machines are invented, the forces of nature, such as steam and electricity, are drafted into the service of economic ends; new markets are opened, and as a consequence tens of thousands of energetic men see opening before them the opportunity of securing riches. In the previous comparatively stationary state of society their energies had been repressed; small gains, slowly accumulated by much labor and self-denial, had been the rule; the number of very wealthy persons before the industrial revolution set in was relatively small. But now, as a result of the new conditions, the gates of opportunity are thrown wide open, the glittering prize dangles before every eye, and every active forward-pressing person may hope to secure it. He who looks steadfastly and continuously at some burnished object like a metallic doorknob will presently find himself hypnotized. The same is true in the case of brilliant objects of endeavor that stand out before the imagination. And the essence of this hypnotic effect is that it excludes all other objects or ideas from the mental viewpoint, and this it seems to me explains the conduct of the class of employers and mine owners to whom I have referred. It was gold, the unexpected chance of securing Aladdin's treasure, that riveted their attention, that hypnotized them. The cry of the children they did not hear, the degradation of women they did not see, or if they saw it, it made no impression on their impervious minds; the social evils consequent upon their predatory conduct were excluded from their sphere of vision; a kind of monomania took possession of them, they were the victims of a fixed idea. The periods of industrial expansion are peculiarly fruitful of such fixed ideas, and they are therefore the danger points in the development of human society. But what is the hope? The hope is that the results of such a reckless course of action will appear to the eye too plainly to be ignored; that the morally sound elements in the community, if the community be still sound at core, will take alarm; that a powerful reaction will set in, and that as a result certain forms of industrial iniquity which had previously been overlooked or had remained unrecognized will be stigmatized and forbidden; and that the general moral standard with respect to the evils that have appeared will be definitely raised to a higher point

than it had reached before those evils had set in. This is the hope; it is founded on the morally sound elements in the community and on their reaction; I believe that in American communities such elements still abundantly exist.

But it is of child labor in the United States that I am to speak, and here again I shall restrict myself to a few outstanding facts sufficient to establish that we are not fighting windmills, but that the evils which so earensly challenge a remedy are widespread.

At the beginning of 1903 it is estimated that there were in the factories of the South—chiefly cotton factories—about 20,000 children under the age of twelve. Twelve is a very early age at which to begin work; but under the age of twelve, and 20,000, and in the United States of America—who would have credited it? And these children, too, not the children of foreign immigrants, but for the most part the offspring of the purest American stock of this continent; and some of these children, as eye witnesses attest, were at their work even more than twelve hours, as much as thirteen and fourteen hours a day. Where are our instincts of mercy, where is the motherliness of the women of this country, whither is the chivalry of our men that should seek a glory in protecting the defenseless and the weak? Within the last two years child labor laws have been passed which have doubtless reduced the number of children under twelve years of age in the factories; how great the reduction is it is impossible to say. But the South is by no means singular, though it has of late been more conspicuous in its employment of child labor than other sections of the country. And there is no excuse for adopting a pharasaical attitude toward the southern communities and saying: "We are glad that we are not like these." For in the first place, in not a few instances it is northern capital invested in southern mills that shares the responsibility for the conditions named; and then again, while the proportion of child to adult labor in the South is greater than anywhere else in the country, the absolute number of children employed is greater in the industrial centers of the North.

The lack of adequate statistical inquiries makes it impossible to express in figures the extent of the evil of child labor. But wherever investigation is undertaken, wherever the surface is even scratched, we are shocked to find to what an extent the disease is eating its way underneath, even in those States in which legislation on the sub-

ject is almost ideal. The laws are admirable, but the enforcement is defective. Thus glancing over the reports recently transmitted to the National Child Labor Committee by its agents I find that in New Jersey, in one of the woolen mills, 200 children under the legal age are at work. In the glass industry of Ohio, Pennsylvania, and West Virginia, the evils of premature work and of night work are combined. A boy, Willie Davis, for instance, thirteen years old, works on alternate nights from 6.30 p. m. to 4.30 a. m., earning ninety cents a day. In one of the glass houses of Wheeling, W. Va., forty boys were seen by the agent, apparently from ten to twelve years of age; one child looked not over nine years old, "but was too busy to be interviewed." In this place 3,000 children of the school age were found to be out of school. In this town there are also many cigar factories that employ children. And speaking of the tobacco industry reminds me of the case of a child worker just reported from Pittsburgh. The boy is employed in a toby factory—"tobies" being a cheap kind of cigar—in rolling tobies. He is twelve years of age; he has already been at work for seven months; the hours of labor are from 6 a. m. to 8 p. m., intermission for lunch fifteen minutes, for supper twenty minutes, in all thirty-five minutes in fourteen hours. He works Saturday nights from seven until midnight, and sometimes until 2 Sunday morning; does not work Saturdays, but works Sundays. The room in which he rolls his "tobies" is described as dark and poorly ventilated; the atmosphere is charged with tobacco dust. The boy seems gentle and uncomplaining, but he coughs; and when he was asked whether he was well, he pointed to his chest and to his back and said: "I have a pain here and there."

And in our own state of New York, which in point of legislation is in advance of all the rest, the infractions of the law that occur are frightful enough, as the petition for the removal of the present Factory Inspector sent to the Governor by the Child Labor Committee of New York plainly proves. In a single one of the canning factories where abuses are particularly flagrant, the foreman himself estimated the number of children at work in violation of the law to be 300. Children as young as ten, nine, and seven were found to be at work side by side with their mothers, from 9 a. m. to 9 p. m. In the Chelsea Jute Mills of Brooklyn, an establishment which acquired an unenviable notoriety in connection with the Annie Ventre case some months ago, there are reported to be at the present time 85



children at work under the legal age. In the sweated trades the evils are the same, or if possible worse. The report further states that the number of violations, not of the child labor laws in particular but of the factory laws in general, are alarmingly on the increase; 33,000 reported in 1901, 50,000 in 1903.

I must again repeat that the number of law-defying employers cannot be estimated with any exactness. Sweeping arraignments, sensational generalizations are unjust in this as in other cases. There are employers, not a few, who on their own initiative endeavor to enhance the safety, the comfort and the well-being of their employees beyond anything that the law requires of them. But the mischief wrought by the lawless minority, affecting as it does so many thousands of human lives, is intolerable; and there is always the danger that in a competitive system the lowering of the standard by the unscrupulous will tend to undermine and to drag down the higher standard which those whose intentions are honorable are attempting to maintain. There is need of efforts gradually to raise the age limit of employment where that limit is too low; and it has been found also that there is need of a kind of National Steering Committee to promote the movement on behalf of child protection—in view of the fact that states hitherto agricultural are more and more entering the column of the industrial states—for the purpose of guiding as far as possible this transition, and enabling the newer industrial communities to profit by the lessons of experience, and preventing in their case the needless repetition of the evils which have marked the initial stages of industrial development in the older countries and commonwealths. Such a committee has now been created. But in addition to good laws, there is need of a vigorous and imperative public sentiment in favor of the enforcement of the laws, for without the pressure of public sentiment the best laws remain dead letters, as the example of New York state demonstrates. But public sentiment cannot be maintained without public interest in the question; and it is to aid in developing such interest with a view to maintaining such a sentiment that I have brought the matter before you in this address.

And now let us briefly consider some of the arguments that are advanced in favor of child labor, and the grounds upon which they are to be rejected. The first argument is, that necessity knows no compunction; that however undesirable it may seem to harness

young children to the yoke of toil, it is impossible to do without them, because if child labor laws are enforced certain important branches of industry will cease to be profitable. For instance, in the glass industry. It is said that this industry cannot be carried on without the aid of young boys, and of the textile industries in the South the same has been averred. This argument is as old as human avarice, and it appears again and again in modern economic history. It is fallacious, for the reason that cheap labor is not really cheap, and that higher paid labor—in this case the labor of adults as compared with that of children—is not really more expensive. The prohibition of the cheap labor of the child is favorable to the invention and use of labor-saving devices; it challenges and promotes a more efficient organization of the business; and it imparts a higher value to the product, because of the greater skill, vigor and interest of the labor that enters into the product. As a matter of fact, at the time when the two principal industries of England—the textile and the coal mining industries—were prohibited from employing children, there was a tremendous outcry, and it was freely predicted that those branches would cease to be profitable, and especially that England would cease to be able to compete in the matter of textiles and coal with foreign countries. But what has been the event? That England is stronger to-day—not in spite of, but because she has forbidden, child labor—in just those two branches of industry than she was at the time when those sinister predictions were uttered. And so if it is said that the glass industry cannot be carried on without child labor there is the fact to be noted that the largest glasshouse in the state of Ohio is carried on without child labor, and does not appear to be conducted at a loss.

A second argument is the attempt to block a humanitarian movement for a seemingly humanitarian reason, the reason being that the labor of these little hands is necessary to relieve the poverty of their families, and that it is cruel to deprive the poor of that increase of their weekly earnings—even if it be only two or three dollars—which little children are able to supply. In answer to this plea it must be said that the actual state of the case is sometimes quite different from what is supposed. For instance, I have in mind the case of a boy who, though fifteen years of age, was sadly overworked, his hours being from 6 a. m. to 10 p. m. The father of this boy earns from six to seven dollars a day. Surely this is not

a case in which the necessity of the parent excuses the overtaxing of the strength of a young boy. In other cases parents are found to lead a parasitic life, reversing the order of nature, the adults living at the expense of the children. Economically it is brought home to us, that the wage earned by children is not really an increase of the family earnings; that where there is competition between children and men the wages of the men are thereby reduced; so that a family in which man, woman, and child are breadwinners, may not earn more—sometimes earns less—than the income gained by the man when the man alone was the breadwinner. And again, in those cases of genuine hardship which undoubtedly occur, especially where women have been left widowed with the care of a family upon their hands, and where the small earnings of children ten and eleven years of age do make an appreciable difference (cases have occurred of loyal little men under the age limit coming to the mills with tears in their eyes and begging to be allowed to labor for their mothers' sake); I say in such cases it is wiser for society to commend indeed the loyalty of these little fellows, but to send them to school, and to follow the example of Ohio, which has spread a law upon its statute books looking to the public relief of destitute families of this kind. It is better for the state to furnish outright relief than to see the standard of living of whole sections of the population lowered by child competition.

These are the two main arguments. There is one other argument, so un-American and so inhuman that I am almost ashamed to quote it, and yet it has been used, and I fear is secretly in the minds of some who would not openly stand for it. A manufacturer standing near the furnace of a glasshouse and pointing to a procession of young Slav boys who were carrying the glass on trays, remarked: "Look at their faces, and you will see that it is idle to take them from the glass-house in order to give them an education; they are what they are, and will always remain what they are." He meant that there are some human beings—and these Slavs of the number—who are mentally irredeemable, so fast asleep intellectually that they cannot be awakened; designed by nature, therefore, to be hewers of wood and drawers of water. This cruel and wicked thing was said of Slavs; it is the same thing which has been said from time immemorial by the slave owners of their *slaves*. First they degrade human beings by denying them the opportunity to

develop their better nature; no schools, no teaching, no freedom, no outlook; and then, as if in mockery, they point to the degraded condition of their victims as a reason why they should never be allowed to escape from it.

These are the arguments advanced for child labor. What I have summarily said may suffice for their refutation; but I shall not content myself merely with the negative attitude of meeting our opponents, and I should like in approaching the close of my address to present the grand positive reason why child servitude should be abolished throughout the length and breadth of this land. The battle is sometimes put on what are called sentimental grounds. Any one who has children of his own cannot help enduring a certain anguish in thinking of such cases as those of the little children treading up and down those stairs of the inferno of the English coal mines with buckets of coal on their backs, or of the little children in the mills returning to their squalid homes at 2.30 in the morning, or of the little boy rolling "tobies" in the dark and ill-ventilated room for fourteen mortal hours, coughing, with a pain "here and there." And when we picture these things and realize what they mean we are apt to cry out in a sort of wild indignation, saying: "These things must stop; we will not permit them to go on." In other words, we think of the individual children; and as we are men and women capable of sympathetic feeling, our hearts bleed for them.

But in addition we must never forget that beyond the individual interest there is a vast social interest at stake, the interest of American civilization, of human civilization, of all those generations that are to succeed us. The reason why child labor must be abolished, apart from the sufferings of individuals, is one which biology and ethics combine to enforce upon us. The higher the type of living being the finer the organism, the longer the period of time required for its maturing. The young of birds and of the lower animals are full grown after a few days or a few weeks. They acquire with incredible rapidity the use of inherited instincts, and after the shortest infancy are ready to take up the struggle for existence after the fashion of their species. The human being requires a period of preparation extending over years before he is ready to take up the struggle for existence after the human fashion. First infancy, then childhood, then early youth; and during all that period he must



remain dependent on the protection and the nurture of adult kinsfolk. If that period is curtailed the end of Nature in this highest type of living being—man—is thwarted. It is for this reason that premature toil is such a curse. The child must develop physically, and to do so it must play; the child must develop mentally, and to do so it must be sent to school; the child must develop morally, and to do so it must be kept within the guarded precincts of the home.

The physical effects of precocious childhood are arrest of growth, puny, stunted stature, anæmia, thin, emaciated limbs, sunken cheeks and hollow eyes; and diseases of all kinds—of the lungs, of the joints, of the spine—for arrest of development does not mean mere arrest, but means malformation.

The mental effects of precocity labor are likewise arrest of mental development; and this, too, means not only a stopping short but a development in the wrong direction. The brilliant but short-lived intelligence of many newsboys, their high-strung excitability, their sinister anticipation of world knowledge, followed often by torpor and mental exhaustion later on are an instance in point. We laugh at and applaud their sallies of wit, their quick repartee, their seeming ability to play the game of life on a par with adults; we do not look beyond the moment, nor count the cost they pay.

And the moral effects, as is to be expected, are of the same sort: loosening of family ties, roving the streets, familiarity with vice and the haunts of vice, a startling independence before the moral nature is fit to maintain independence, a process of selection so trying that while sometimes it leads those subjected to it to distinguished achievement, more often it leads to ruin.

The finer the type the longer the period needed for the maturing of it. In the case of youths dedicated to the professions, the period of preparation at present extends far into the twenties. In the case of all who are to be component members of this American nation, to carry on its great traditions and help in solving its tremendous problems, the period of preparation should not be cut short below the sixteenth year. This is the standard toward which we are working, toward which we hope to approximate—more rapidly in the older communities, more patiently and with a due regard to all the interests involved in the less advanced communities. But we look forward to the day when the standard shall be adopted in all the

American Commonwealths, and the total abolition of child labor in every form shall be the honorable achievement of the entire American people.

The emancipation of childhood from economic servitude is a social reform of the first magnitude. It is also one upon which we can all unite. There are so many proposed reforms upon which it is impossible to secure agreement, different minds, though alike honest, inevitably differing with regard to them. But here is a reform upon which we can agree, which must appeal to every right thinking person, and which is urgent. And one particular advantage of it I should like to point out, namely, that it is calculated to be the best induction into the right spirit of social reform, that it will attune the community in which it is achieved to a favorable reception of sane and sound social reforms generally. Because if once it comes to be an understood thing that a certain sacredness "doth hedge around" a child, that a child is industrially taboo, that to violate its rights is to touch profanely a holy thing, that it has a soul which must not be blighted for the prospect of mere gain; if this be once generally conceded with regard to the child the same essential reasoning will be found to apply also to the adult workers; they, too, will not be looked upon as mere commodities, as mere instruments for the accumulation of riches; to them also a certain sacredness will be seen to attach, and certain human rights to belong, which may not be infringed. I have great hopes for the adjustment of our labor difficulties on a higher plane, if once we can gain the initial victory of inculcating regard for the higher human nature that is present potentially in the child.

And there is one additional word which, if I may so far encroach upon your patience, I should like to say: It is not enough to shut the children out of the factory, we must also bring them into the school, and compel parents, if necessary, to send them to school; the movement for compulsory education everywhere goes hand in hand, and must go hand in hand, with the child labor movement.

The child labor movement has for its object to fence off an open space within which the educational institutions of the country may do their perfect work. The school has for its object to win from the human beings confided to it the human qualities latent in them, imagination, taste, skill, appreciation, vigorous reasoning, will power, character; to fulfill the ends of Nature in the finest organism,

the highest type of living being which she has yet produced. A more convincing appeal than comes to us from these two movements jointly, the child labor and the educational movements, in my judgment, cannot be conceived of. And without the former the latter cannot succeed.

## CHILD LABOR IN SOUTHERN INDUSTRY

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By A. J. McKELWAY,

Assistant Secretary of the National Child Labor Committee.

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For a Southern man to criticise the South before a Northern audience is treason; to defend the South is almost an instinct. But if he can throw the blame for anything that is wrong upon New England he may thereby reconcile sentiment and conscience. It is an orthodox introduction, therefore, to say that the invention of a New England pedagogue, a hundred years ago, is the real cause of the crusade in which we are all engaged. That invention changed the face of the industrial and political world. To Eli Whitney's cotton gin may be traced directly the abandonment of manufacturing in the South and the practical monopoly of the cotton growing industry by the South, the development of African slavery from a patriarchal into a commercial institution, the clash between the systems of slave labor and free, the resulting War between the States, and the system of child labor which has been the special curse of the cotton milling industry for a hundred years, first in England, then in New England and later, with the resumption of manufacturing by the South, has become the curse of the Southern cotton mill. Consider these clearly related facts: Ten years before that invention the South shipped 1,200 pounds of cotton to England. Last year the South produced 6,500,000,000 pounds. The first full cargo of cotton shipped to England, shortly after that invention, was seized on the ground that so much cotton could not be produced in the United States. A hundred years ago the South was manufacturing more goods and a greater variety of them than New England; Southern states were vainly protesting against the British and New England slave trade and the extension of slavery; a physician of Leeds, England, had just put on record his historic protest against the niggardliness of the hospital authorities in not



furnishing enough supports for the bent bones of the deformed children of the cotton mills, and Eli Whitney was receiving his royalty of two shillings sixpence upon each saw of his historic gin. Of course the invention was also a great beneficence. It has made clothing so cheap that the Hong Kong coolie, on a wage scale of three cents a day, may cover his nakedness. But it gave us the slavery problem and has bequeathed to us the negro problem of the South and the child labor problem of the manufacturing states of both Europe and America.

And now the South is again becoming a manufacturing section. In 1900 the value of her manufactured products surpassed that of her agricultural. And it happens that the manufacture of cotton is her characteristic and commanding industry. In 1880 there were 667,000 spindles in Southern mills. In 1900 there were over 7,000,000. In 1904 there were twice as many cotton manufacturing establishments in the South as in 1900. In the two Carolinas the number of spindles has more than doubled in the last six years. But just as there so long hung over the cotton field the pall of negro slavery, so there hangs to-day over the cotton mill the shadow of child slavery. The conscience of the world revolted against man-stealing and man enslavement. But the enslavement of children touches a deeper chord. One of our eloquent phrase makers has spoken of the great smoke-stacks of our flourishing mills as "flaunting their banners of industry against the sky." But when one thinks of the thousands of young lives that are imprisoned within those mills, toiling from daylight to dark or from dark to daylight, an older figure of speech comes to mind—"And the smoke of their torment ascendeth"—shall it be "forever"?

It may be broadly stated that there would be no child labor problem to speak of in the South to-day except for the cotton mill, and this industry is centered in the piedmont section of four cotton growing states, North and South Carolina, Georgia and Alabama. It is necessary to discriminate between these states and others of the South as to the extent of the child labor evil, and within these states, as to the character of the work done by children. The South is still mainly an agricultural section. Among those under sixteen years of age, counted by the census makers as engaged in "gainful occupations," by far the greatest number are at work on the farm, under the eye of their parents, although by the operation

of the tenant system their wages are counted in the sum total for the family. But this is the kind of child labor that is not only not hurtful, but may be beneficial in the direction of physical health and development. The negroes are not employed in the cotton mills and their children may therefore be excluded from the factory problems. Other manufacturing industries make no appreciable demand for the labor of the children. The furniture factories of North Carolina that sell their finished product at Grand Rapids, Michigan, are practically unanimous in their belief and practice that no child under fourteen years of age should be at work in a factory. The evil exists to some extent in the tobacco factories, to no extent in the steel and iron works, while the coal mining states have the protection of fairly good laws against the employment of children. The South is too large a section of country and its industries too varied for any sweeping indictments against it in this matter to be other than the fruit of ignorance or prejudice. And it may be easily proved that because child labor has always been the curse of the cotton mill above all other industries it is such an evil in one section of the South. There should be similar discrimination in reviewing the legislation of the Southern states in the matter of child labor. It is comparatively an unimportant matter that Mississippi, with twenty small cotton mills has an ineffective child labor law, or that Louisiana, with ten cotton mills has lately refused to amend its law, or that Florida, with no cotton mills, is as yet innocent of any remedial legislation on this subject. In the South, although there is a general movement and rapid progress in all lines of manufacturing, cotton is still king in both the factory and the field. North Carolina's rural population is still 85 per cent. of the total, and yet North Carolina has more cotton mills, though smaller ones, than any state in the union and South Carolina stands next to Massachusetts in the number of spindles.

It may be said also, that considering the sudden growth of the cotton milling industry and the bad reputation it has always borne in respect to the employment of children, the South has acted with commendable promptness in recognizing the evil and attempting its cure. The very first protest made in England by way of legislation was in 1802, the twelve-hour law of Sir Robert Peel, which had special reference to the cotton factories and woolen mills. Yet, in 1816, out of 23,000 factory hands in a given number of English

mills, 14,000 were under eighteen, while children of six years were employed. In 1833 Lord Shaftesbury showed that the conditions in the cotton mills had not improved, and made this profoundly significant remark that the evil had "spread from the cotton mills" into other industries. It was not until 1848 that child labor in England was limited to five hours a day for children under thirteen, although the law requiring such children to attend school the other half of the day has resulted in practically as much physical deterioration as from continued employment in the mill. It was not until 1902 that England passed a law raising the minimum age limit for the employment of children to twelve years, while the same year, after only twenty years of experience with the evil, the three manufacturing states of North Carolina, South Carolina and Alabama, fixed the same age limit by law. Massachusetts, with almost ideal conditions at the beginning, so far as this evil was concerned, had gone backward, until as late as 1879 children from eight to eleven years of age were allowed to work from eleven to fourteen hours a day in the cotton mills. It is worthy of note that free trade, including the abolition of the corn laws in England, has been the same encouragement to manufactures there that protection has been for the United States, driving the people from the farm to the factory. In the decade between 1890 and 1900 the employment of children in factories increased 40 per cent., and of these factory children 61.8 per cent. are in the Middle and Southern states.

It may be fairly said, therefore, that the South has acquired this system of child labor from New England just as New England learned it from old England along with other lessons of the cotton milling business. In fact the very machinery of the cotton mill is adapted to child labor. The spinning frame is built for a child of from twelve to fourteen years of age, so that it is hard for an adult worker to do that particular work through having to stoop to the task. I was told not long ago by a leading dealer in cotton mill machinery that a spooler had been recently put upon the market with adjustable legs for small help. While I learned from the same authority that when the cotton mill was erected in India, for the first time in the history of the industry as conducted by modern machinery, the spinning frames were made high enough from the floor for adult workers, India not being sufficiently civilized to employ children.

And even in the South, the North must share responsibility

for the continuance of this evil. The history of legislation on this subject is interesting. In 1887 Alabama passed a law forbidding any child under fourteen to work more than eight hours a day in a mill. Then came the wonderful development of the industry and a large influx of northern capital to be invested in that industry. Through the influence of the Northern mill-owners of Alabama mills, that law was repealed. Through the same influences, coupled with those of Southern manufacturers, the child labor law proposed in Alabama, through the efforts of Edgar Gardner Murphy, of Montgomery, failed of passage. The agitation following the defeat of that law resulted in the next two years in putting legislation on the statute books of Alabama, North and South Carolina, the effort failing in Georgia, where again there is large Northern interest in Southern mills, while in the Carolinas the mills are owned almost entirely by Southern men. The agitation spread from the South to the North, where there were better laws upon the books, but in many instances miserably poor enforcement. It was this agitation and its beneficent fruits that led Mr. Murphy to suggest the formation of a national committee for the consideration of this problem. For it is admittedly a national and not a sectional evil.

Just as the laws of the manufacturing countries of Europe are superior to those of our own country, so those of the North and of the West are superior to those of the South. There must be discrimination, however, as Massachusetts, New York, New Jersey and Illinois, have the same age limit as Maryland, Tennessee and Kentucky, namely, fourteen for those working in factories, while Pennsylvania has an age limit of thirteen. Virginia, North Carolina, South Carolina (after next May), Alabama, Louisiana, Texas and Arkansas, have the same age limit, namely, twelve, as Maine, New Hampshire, Vermont and Rhode Island, while Delaware and Oklahoma stand with Georgia and Florida in fixing no age limit. It should be said, however, that these statements soon are antiquated since there is a strong effort to raise the age limit in Rhode Island and in Pennsylvania just now, and there will be another attempt to fix an age limit by law and not by an agreement of the manufacturers, merely, in Georgia at the next legislative session.<sup>1</sup>

<sup>1</sup> Since the above was written, Rhode Island has raised the age limit to thirteen, and provided that it shall be fourteen after January 1, 1907. Pennsylvania has raised the age limit to fourteen, and Delaware has enacted a fourteen-year standard; likewise Vermont, West Virginia, Kansas, Oregon and California.—S. M. L., ED.

But there is as yet almost no enforcement of the child labor laws in the Southern states. Putting on record the principle of the right of the state to interfere between the parent and the child in this vital matter is as far as most of our states have gone. There is no system of factory inspection, and it is admitted that the laws are as constantly as they can be easily violated. And while the numbers of the toiling children are larger in the North, through the multiplicity of her manufactures, the percentage of child to adult labor is four times as great in the South as in the North. Conditions are bad enough and should not be minimized, lest they be tolerated too long. The evil is even a growing one with the growth of the cotton milling industry. There are 15,000 children under fourteen years of age working in the cotton mills of North Carolina, not less than 60,000 in the South, and it is known that too many of these are under twelve in spite of law and agreements not to employ such. A recent effort to amend the law in North Carolina by raising the age limit from twelve to fourteen for girls and for boys who cannot read and write, was defeated by the representations of the manufacturers that their business would be ruined, one of them stating publicly that 75 per cent. of the spinners in the North Carolina mills were between the ages of twelve and fourteen. The illiteracy of the manufacturing states of the South is largely due to the competition for the life of the child between the school and the mill, with the manufacturer too often, the parent nearly always, and sometimes the child on the side of the mill. The Northern manufacturing states are also falling in the illiteracy scale, Rhode Island, with its twelve year limit unenforced, having become the most illiterate of Northern states. In North Carolina only 25 per cent. of the children of school age in the factory districts attend school and the percentage is sometimes as low as 8 and 10 per cent.

But the religious and educational forces of the South, with the aid of the enlightened press of the South, may be trusted to put an end to this hideous abuse. In all other points save this, the cotton mill industry of the South is a real beneficence, and is conducted under the best conditions. It is only necessary that the facts shall be carefully investigated, and published, for the demand to become irresistible from the people themselves that the industry must not be built upon the basis of child labor, nor will it be long before the



will of kind-hearted people will be translated into humane laws that we may again "present a serene front to civilization."

And I would appeal to the people of the North to sweep before their own doors more carefully as the best means of helping us of the South. When Southern visitors to New York City see the size of the little newsboys and are aware of the newsboy law, they are not much impressed with the adequacy of law to protect children. When our Carolina manufacturers visit the Rhode Island cotton mills and find conditions there as bad if not worse than those in their own factories, it is hard for the advocates of the children's cause in the South to plead the better example of the North. In all respects save this one, conditions in the Southern mills are better than they have ever been elsewhere in their industry.

The child is the savior of the race. The child is the harbinger of the Golden Age, when, as it has been pictured to us, the forces of greed and the forces of violence and the forces of cunning shall walk together in peaceful procession, while "A little child shall lead them." In working for the protection of the child from too early toil, with its stunting of the body and dwarfing of the mind and spoiling of the spirit, we are laboring for the building up of the race that is to be. The child labor problem touches many others. But it seems to me that the old darkey summed up the whole philosophy of this movement when he was made to say:

I heah de chillun readin'  
'Bout de worl' a turnin' 'roun',  
Till my head gits sorter dizzy  
As I stan' upon de groun';  
But let her keep a turnin'  
If 'twill bring a better day,  
When a man can mek a livin',  
While his chillun learn an' play.

## CHILDREN IN AMERICAN STREET TRADES

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BY MYRON E. ADAMS,

West Side Neighborhood House, New York City.

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Although the method of distributing the daily papers may seem to vary in different cities the means remain ever the same. The newsboy has always been regarded as indispensable for securing a satisfactory delivery or distribution. The purpose he serves is so evident, his place in the system seems so determined by necessity, that much thought has been given to the labor, but very little to the laborer. In truth the public has grown to look upon him as one of the factors in everyday life, able to care for himself and to work out his own salvation. That some do this there is no doubt. The newsboys who have gone from the street into business and even into larger affairs of state and of the nation refer with pride to the road over which they have traveled.

The newsboy has become a part of our city environment. A familiar figure, rather undersized as we know him best, flipping the street cars, or standing on street corners holding his stock in trade under his arm. A veritable merchant of the street, who scans each passer-by as a possible customer. Quick of wit and intent upon his trade he reads their peculiarities at a glance, and makes the most of their weaknesses. The public sees him at his best and neglects him at his worst. He is not considered in the problem of child labor, because he works in the open and is seemingly apart from the associations which are so hostile to the health and happiness of the factory child.

It seems the part of the iconoclast to controvert the popular conception of the newsboy. His energy and enthusiasm in the few hours when his work is at its best add to the picturesque in the city's life; his sacrifice and his service have always been the peculiar field of the melodrama or the boy's story book. It is very hard to throw these early impressions ruthlessly aside. This class of boys

have the ability to do things which attract and to conceal those things which repel.

Undoubtedly in the early days of paper selling and before the child of foreign parents secured such a monopoly of street trades, there were some features of paper selling which were more attractive than they are to-day. With the changing character of the street there has also come the realization that the ordinary boy has little or no future there. The opportunity for him in the business of the paper is small. In fact the uncertainty and license of the street provides but a poor education for any occupation which requires either regular or persistent effort.

With the demand for more effective restriction of child labor and with compulsory education laws the fact has become obvious that the laborer on the street is one of the chief offenders against these laws. Investigations conducted by persons familiar with the problem have disclosed the fact that while street trading offered temptations to which the street boy was particularly susceptible, there has been little or no attempt to regulate and improve existing conditions.

It has also been noticeable that similar conditions prevail in most American cities. The dangers of the street trades are not limited to the great cities of the East, but are equally true of the western cities and of the smaller cities throughout the country. This matter has been more carefully considered in our great cities, and we shall take as the best illustration of the general dangers of street trading those found in the city of Chicago.

Chicago is particularly fortunate in the character of its street trades. Many forces have combined in the newspaper industry to make possible a system of distribution, which, both in simplicity and completeness, excels that of most of American cities. A system has been gradually developed in Chicago which excludes many of the deplorable tendencies in other cities. This allows the paper to pass from the publisher to the reader with the least possible waste of time or energy, and insures in the case of many of its workers the establishment of newspaper selling as an industry. The industrial possibilities have been largely due to the practical interest that the Chicago papers have taken in the newsboy, and in the development of a regular and methodical system of paper selling. This interest has not merely been evident in the desire to give some pleas-



ure to the newsboy, by means of gymnasium, drill-halls and other forms of practical helpfulness, but also, to a much greater degree, in the attempt to put the work on a basis that would insure him a business and a regular livelihood.

Chicago is mapped out by carefully defined boundaries into "routes," assigned to men known as "route carriers." A wagon representing each paper covers these routes, not once, but several times during the day. At regular points along the route the driver is met by the men who are owners of the routes. These men are often accompanied by boys, waiting for a supply of papers for house to house delivery, and for sale on street corners in residence districts. They are the news dealer's assistants, and as a rule prove themselves reliable as well as prompt. In fact the competition for this employment is so keen that the boy must "hustle" or another will be given the coveted position.

In the early phases of newspaper selling the street corner in the downtown district was the scene of physical battles for supremacy. For many years the Irish lad held absolute possession. With strong fist and ready tongue, backed by many friends, he seemed almost invincible, but back of it all there was a certain lack of persistence that proved to be his undoing. The Jewish boy came next. He would not fight the Irish lad with the weapons of his choosing, he knew a better way. Every day he was at his post, in winter and summer, in good weather and bad, the customer could depend on his appearance with the paper. So his trade increased, and at last he gained a monopoly of the corner. In turn he fell, and the Italian, the prince of street venders, because he possessed both of the strong points of his predecessors, secured the monopoly of most of the good corners. He was both a ready fighter and a persistent worker.

Meanwhile the circulation managers of the newspapers came into the field with assurance of assistance to him who possessed the corner. The corner, which had been merely a prize for a physical contest, now came to have a quasi-legal position that implied pecuniary value. Its value was so great that it could not pass unnoticed by the circulation managers, and protection of some sort seemed necessary. The social privilege must have a more stable backing than merely the "good will" of the street. Protection finally came from the newspaper in the form of a card bearing the name of the dealer and the position of his corner, with the condition that no

one could buy early papers without presenting this card. In this way they were able to regulate the transfer of the corner. "For, while they did not often interfere with the transfer of a corner from one boy to another, if they knew him to be in the pay of another paper, or if they suspected that he was getting possession of a number of corners in order to speculate on them, or to hold a monopoly, they did not give him a card." This protection gives the dealers confidence in their position, and inspires them to be both regular in their trade and courteous to customers if they would establish a business.

The plan which was so well adapted to the downtown district was established on a more liberal scale throughout the city. The principal corners in the outlying districts were occupied by so-called "Canadian" boys, a title often given to the dealer who delivers papers to the smaller boy, and who controls the circulation in his district. The dealers are empowered by the papers to arrange the territory each boy is to cover. Some of these boys receive a small salary from the newspapers, others are dependent upon the small sum which they derive from the sub-letting of their districts, and they manage to earn a very fair salary when they combine the actual selling of papers with their other duties. Among the men and boys who own corners outside the downtown district there is a great divergence, both in age and nationality, but the boy finally chosen as overseer is usually the best representative of the district in which he lives.

In addition to this selling on the street corner many of the older boys have established regular routes, which often require the delivery of five or six hundred papers each day. One young man who has a route of this kind has been able to secure an education by means of selling papers. He finally graduated from High school and from a medical college, received a degree, and practiced medicine for two years, yet he still continued with the old route and depended upon it chiefly for support. Many instances came to the notice of investigators of persons who had in this way earned a living while pursuing a scientific or professional course.

In return for the social and business privilege the agent assumes the responsibility for the circulation of the paper on his corner, or in his district. He promises that each paper shall have an equal amount of attention at his hands, and none shall be favored either in posi-

tion or method of sale. As long as the bargain is kept he is given perfect liberty and remains secure in his position. If the bargain is broken there are forces in reserve that operate to his undoing.

The business in its development required that some one be constantly at the stand. In the morning one newsboy, or at the most, two are necessary, for the trade in the morning is comparatively dull. This is due to the fact that most of those who come to the city on suburban trains have already purchased their papers before arriving in the city, and those who live in the city have either obtained a copy at their homes or are too busy to read them at their places of business. On the west side few boys are on the street before 6 a. m., except those who have regular routes. A father was found delivering papers at 5 a. m. with his three little daughters assisting, but as a general rule throughout the city comparatively few people are engaged in the sale of morning papers. In the afternoon, from three to seven o'clock, many of the corner men have from one to a dozen or more assistants, who receive either a percentage of their sales or a small salary. This is the so-called "hustler" system, and the newspapers claim that it is "simply an excrescence, and apparently a temporary one." The new child-labor law in Illinois forbids the employing of boys under fourteen years of age, but the dealer can easily avoid this technicality by changing wages into commission, the boy will then be working for himself.

The privilege of position, and the regularity of sales necessarily develops a fixed value for the corner, which ranges from \$100 to \$500. The four corners of Clark and Madison streets are estimated by their owners to be worth \$2,000. None of the corner men earn less than \$1 a day, and many earn from \$5 to \$10. All this proves that it is possible for the city to make a helpful industry out of a trade which has been long considered irregular and desultory. If legislation is needed for this class it is only that there may be greater security in the business which they now hold as a privilege and not as a legal right. Many of the dealers desire this, as there is always some uncertainty in their continued possession of a corner.

The news dealers have already felt the need of association and co-operation. The Chicago Newsboys' Protective Association was organized in March, 1902. It does not seek to monopolize the newspaper trade, and is quite satisfied with its membership of 200, which

was not more than 5 per cent. of the newsboys of Chicago. It is not a union and has no power as such, and since the members do not work for wages, it is not eligible for membership in the American Federation of Labor. It was formed originally when the city was making a campaign against the street venders, driving both fruit stands and news stands off the street, and compelling the news dealers to carry their papers under their arms, thus cutting off their sales to a considerable extent. The association which was then formed to present the cause of the newsboys to the City Council secured the successful passage of an act that allowed them to keep stands. After this success they did not disband, but continued to meet the first Wednesday of each month to improve the general conditions under which they work, and also to provide for those among their number who may be prevented by sickness or any other cause from plying their trade.

Three incidents may illustrate the nature of their activities. It was reported in one of their meetings not long ago that some dissatisfaction had been expressed with the condition in which the men left their boxes on the street when their day's work was finished. As a result a committee was appointed to wait on the different members of the association and see that proper care was taken of the boxes during the day, and to insist that they be removed from the street at night.

A blind member of the association was much troubled by small boys, who stole his papers, and in every way tried to ruin his business. The matter was reported to the association, who appointed a committee, serving with pay, to investigate the matter and report. As a result of the efforts of the committee there has been little or no trouble since.

This association also helps those among its number who are sick, although on account of the very small amount of monthly dues they are not able to guarantee this assistance. A cripple received \$24 from the association during a four months' illness, and could have secured more had he not been determined to refuse further aid.

There is, however, a large and growing class, who deserve the attention of both the city and the citizen. The business of selling papers in Chicago is so systematized that the vagrant cannot prosper, and yet the "vagrant" was in its midst. He was found on State

street at eleven o'clock on a Saturday night, with one paper under his arm, not attempting to sell the paper, but using it as a bait to beg from the passersby. He was found in the "American" News alley, sometimes fifty, sometimes a hundred strong, sleeping on bags, under boxes, or on the floor of the newspaper restaurant. With this boy, and with all those who are obviously too young to be permitted to engage in street trading, it is our duty to deal, if we are to preserve the attitude the American city takes toward the dependent child.

Three classes of persons who add little to the general circulation, while detracting much from the tone of the business, and working a real injury to themselves, are engaged in selling newspapers, these are the small boy, the semi-vagrant boy and the young girl.

An investigation of 1,000 newsboys, ranging in age from five to twenty-two, showed that out of this number, 127, or 12 per cent. were under ten years of age. Among the number there were forty-two Italians, twenty-five Americans, twenty-four Germans, sixteen Irish and eight Jews. One hundred and six had both parents living, and only twenty-one had lost either father or mother. Their aggregate earnings were \$41.40 per day, or an average earning of thirty-two cents per day, for which they worked three and one-half hours daily.<sup>1</sup>

The small boy, under ten years of age, is on the ragged edge of the newspaper business. He may aid the corner dealer somewhat, and serves his purposes very well, but he is not a necessary part of the circulation system. His absence would not materially affect the general sale of the papers, since there are news stands in charge of older boys on practically every corner, but would preserve the small boy from the temptations which easily lead to a system of begging. The younger boy seems to learn early the strategic way of disposing of his wares. Three boys were found begging on State street between eleven and twelve o'clock one night. Each boy carried a paper under his arm, but made no attempt to sell it. They would watch each passerby and without exception select a man accompanied by a lady. As soon as the man's attention was attracted by the paper the boy would ask for money, and continue to do so until he either received the money or had been refused many times. One boy (T. P.), received fifteen cents in less than

<sup>1</sup> Statistics at end of article.



a half hour. When questioned, he stated that all the younger boys remaining on the street after ten o'clock did the same thing.

If the small boy is to earn very much, particularly in the downtown district where he is most in evidence, he must work in connection with some corner man, who controls a considerable distance each side of the stand, or he must wander about the street picking up a customer where opportunity offers. These boys are selected at random, without reference to school attendance, in fact selling newspapers is at the base of much truancy. The corner man exploits the small boy because he needs some one to help him in the busy hours, and often to take the stand when he goes home at night. The corner man disposes of his unsold papers at a reduced rate to one of these small boys when the best selling hours of the day are passed, since some of the evening papers are not returnable. The corner man prefers to stand the small loss rather than spend the long tedious hours late in the evening to dispose of them, but the small boy will often stay downtown in the chance of selling them. On the evening of September 13, 1903, W. S., a newsboy, aged seven, was taking care of a stand at 11.30 p. m., and probably did not leave the place before midnight. The small boy is also very useful in the sale of papers on the street cars, for he does not hesitate to jump on and off when they are at full speed, and in this way secures many customers who would otherwise be lost. Those who have investigated the matter state that the constant jumping on and off the cars is injurious to the boy. "Flipping" the street car is but a step to the freight and express trains, easily accessible and going far out to the country and to other cities, and this combined with irregular hours and uncertain income are the chief means of training the boy for vagrancy.

The newsboy in many instances is exploited by parents, who find that the boy can earn as much in a few hours as the father can in a day, and in consequence see little need that both should work. To a peasant from Southern Europe, who has been compelled to work for weeks to secure the small returns of a scanty crop, the earnings of his young child upon the fertile fields of the street seem incredibly large. He has no means of judging the harm which may come to his boy or girl, and quite naively reckons that his little children can earn more than himself. The fact that his child is deprived of school, learns no regular trade and is distracted in mind and

stunted in growth, naturally does not appeal to him, seeing as he does only the gain of the day. The child of such a parent can be protected only by law.

It is sometimes asserted that children under ten years of age, if not engaged in street trading, would lounge about in idleness and mischief. It must, however, be remembered that the truancy law requires the attendance of all such children at school. It would certainly seem better if only to secure a normal physical development that these children should play about the street, around their homes, in the playgrounds or in the crowded downtown district at the Chicago Boy's Club, which is conducted exclusively for the boys of the street, than that they should share in the intense life of street trading.

Nor is it right to characterize as idleness the play of a child of ten after five hours' application in the public school, since play has been recognized as one of the most important factors in the physical and mental development of child life. Anyone familiar with the necessities of child life in the tenement districts understands that the street is the playground for the child. It ought to be emphasized here that there is a well-known difference in the physical and moral influences surrounding street trading in the downtown district with all the freedom from external control either on the part of city or parent, as compared with the conditions of street play within the neighborhood in which the child lives where the restrictions of home and friends are able to influence to some measure his conduct.

The suggestion which may occur to the casual reader, that the newsboy under ten years of age, prohibited from trading on the street, would be deprived of a very important part of his support, is not sustained by the facts obtained during the investigation. Only a very small number of these children are from dependent families. A careful investigation of the records of the Charity Organization Society shows that of the 1,000 newsboys investigated, the names of but sixteen families are found, and of these sixteen, eight applied for the privilege of a vegetable garden, of the remaining eight only four received direct help, such as coal, clothing or food.

Few of these children are even half orphans; of those under ten years of age, twenty-one out of 127. Many do not contribute to their own support or that of the family. In certain instances

children were found to be the chief support of a family, but even in these cases it would be much better for the city to assist in supporting the family now, than to be compelled later to pay the price of a ruined character and a criminal life. The following paragraph illustrates the point in question:

There are two families bearing the same name, related to each other, one living on East, the other West Taylor street, who have been known to the different children's societies for many years. Ever since the Juvenile Court has been established one or more members of these two families have been before the court every three or four months. Every male member of the West side family has been in the John Worthy School. One of the boys is now at Pontiac, to remain until he is twenty-one, the third son sells papers on the street, but seldom goes to his home. He can be found almost any night, late, loafing around the American Newspaper restaurant, where he gets his meals and sleeps on the floor. The youngest member of this family has been sent to the Parental School. The father is dead, the mother demented, and all the money that has gone to the support of the family has been earned in the newspaper trade.

Some children sell papers through the coercion of selfish parents. During the investigation, a well-dressed Italian was seen standing on the corner of Adams and State streets watching his three sons selling papers. The three boys, aged respectively, fourteen, ten and eight, earned jointly \$2 a day. The father stood by to prevent any investigation of their earnings or school attendance, yet there seemed to be no desire on his part to participate in their labors. In the majority of cases the boys do not have the protection, even of the fathers, but are left to the mercy of the street.

The investigation disclosed the fact that the newsboy is peculiarly subject to dangers of this sort. He is the only working child whose occupation offers an excuse for remaining on the street at night, while apparently pursuing a legitimate industry. Although the city is full of unscrupulous men, it is toward the newsboy that such a man may most easily hold the advantage of an employer of boys under fourteen. Besides this he has an opportunity of employing boys who are already enervated by irregular hours, improper food, and where sense of decency in many cases has been broken down by life on the street at all hours of day or night. Instances of this kind are of frequent occurrence, although they are seldom



made public. The police have direct evidence that a newsdealer, who had a prosperous corner on Halsted street, hired eight young boys, working for him at a percentage of one cent for five papers sold. This man required the boys to come to his room to receive their pay, and there committed violence on each of the eight boys, most of whom were under fourteen years of age. A newsboy who was brought to the John Worthy School was found to be suffering from disease. An investigation instituted by Mr. Sloan disclosed the facts as stated above. The case never came up in the courts, as the man disappeared from the city when he discovered that there was such damaging evidence against him and the authorities have been unable to find him.

Mr. Sloan, the superintendent of the John Worthy School, authorizes the statement, that "One third of the newsboys who come to the John Worthy School have venereal disease, and that 10 per cent. of the remaining newsboys at present in the Bridewell, are, according to the physician's diagnosis, suffering from similar diseases."

The newsboy, as well as the messenger boy, and American District Telegraph boy, on account of his availability is frequently found in the "red light" district, and as a messenger boy for men and women of dissolute character, learns the very worst side of the city's life. He knows many of the professional prostitutes by name, and has become attached to them by presents of fruit and candy.

Mr. Sloan also states, that "The newsboy who comes to the John Worthy School is, on the average, one-third below the ordinary boy in development physically." This is to be accounted for by irregular days and sleepless nights. The strongest under these conditions cannot long hope to compete with the boy who has a normal amount of sleep and who does not lack for proper food at regular intervals. If boys under ten are required to rise at 4.30 or 5 a. m., they have been under four and one-half hours' excitement and labor before entering school, where for five hours they are to be engaged in more or less mental effort. Then many of the boys distribute papers by the route system in the morning, also sell papers in the evening, beginning in such instances the labor and excitement of their trade immediately upon leaving school, lasting for an average time of three hours, making a total daily activity of over twelve hours.

The physical danger of the child varies with his age. We must not and cannot treat him like a man, for the youthful organism is particularly susceptible to physical abuse. The excitement of the street stimulates unnatural desires on the part of the boy. He sees the men about him participating in questionable pleasures and soon learns to follow their example with disastrous results to himself.

No better illustration of the results of the irregular life that many of the newsboys lead could be given than that of G., an Italian boy, who lay dying a few weeks ago in a West Side hospital. G. left his home in Italy before he was quite seven years old, and in company with an older brother, came to Chicago twelve years ago. They secured a downtown corner, in a good location, and were soon earning enough for their own support, as well as that of the family in Italy. After they had been here for several years the older brother returned to his native land to bring over two more brothers to help out in the trade. Business was good, and as G. grew to manhood he began to find various amusements for his leisure hours. During the slack hours of the day the younger brothers could easily take care of the stands, and G. formed associates that led him into the worst forms of vice. A contracted disease sent him across the ocean to the home in Italy, in the hope that the sea voyage and the air of his native hills would renew his strength. In less than a year he was back at his old stand. One of the younger brothers had gone wrong, had been sent to the John Worthy School, and the elder brother was employed as a driver on a route for one of the big daily papers. The old stand demanded now long hours of exhaustive work. Wrecked by disease as he was, he proved ill-fitted to withstand the rigors of a Chicago winter on the open street. Before spring he was brought to the hospital. The physician who examined him said, "The old story; whiskey and disease, lack of proper food, the constant exposure, they have all done their work. His span of life had been brief and the price he had to pay for its meager pleasures high. Dying at nineteen. The pitiful part is the waste and useless expenditure."

Among the 1,000 newsboys examined, there were 75.1 per cent. who came under the compulsory education law. Of these, 662 gave the name of some school they were attending. Subsequent investigation of the information thus given proved the statements to be

generally true. It was found, however, that in many cases their attendance was so irregular as to amount to truancy.

Authorities on truancy agree that the street trades are the chief support and resource of truant children; requiring practically no capital, and demanding no recommendation, they are open to all alike.

In the minds of the parents who have little or no education themselves, the school is naturally made subordinate to the pecuniary gain of the child in selling papers, even if at times it is a mere pittance. The boy is made to feel at an early age that his value is determined by the money he can earn on the street. The school is the place that demands his time for some of the best hours in the day. He cannot see the relation between the school and his daily trade, and in most cases he assumes that the school is his enemy. To the boy accustomed to the street, school soon becomes irksome. The freedom of life appeals to him, the very busy hours are soon over and there is time for loafing and idling with other and older boys, and it is in such idle hours as these that the vices that are later to prove the ruin of the boy are contracted. The secretary of the probation court officers states that "there are one hundred and forty-three newsboys in charge of the officers of that court," and adds, that "the first offense of almost every boy that she has had to deal with has been truancy."

The boy who is out at four, or even earlier, in the morning either to deliver papers on a route, or to sell on a corner, is breaking into hours of sleep that the young and growing body is much in need of. The energy expended in the first spurt of selling or delivering his papers leaves him unfitted for the school room when he reaches there at nine o'clock, the reaction sets in, the body demands rest, and the quiet monotony of the school room is in such marked contrast to that of the street full of life and motion that the study of books seems more than ever a drudgery, and the desire to get away from it more than ever intense.

In Chicago the large proportion of papers are sold outside of school hours. The morning papers are generally of little value after nine o'clock, and the afternoon editions are mostly in demand after three o'clock, so that the school boy has no legitimate excuse for being on the street during the time school is in session. During the day, however, the truant boy could get the early edition of the

*American* at 9.15, the twelve o'clock edition of the *News* at ten o'clock; at 1.30 the three o'clock *News* and five o'clock *American*; and at 2.30 the five o'clock *News* and night edition of the *American*, all of which come within school hours.

Gaming is unquestionably a most common vice among newsboys. Selling newspapers does not make the boy gamble, and it cannot be said that gambling is peculiar to newsboys, yet here the opportunities seem largest. Where money is ready at hand and more is to be easily had, its value is seldom recognized. It is very easy for the boy to "chance it" with the hope of greater gain, when at various times during the day and night he is brought in contact with many boys who are likewise inclined. Gambling in the downtown district takes various forms. "Shooting pennies" is the most common, although "craps" takes a large part of the earnings. In this way the income of the whole day may pass through the hands of a number of boys in a few moments.

A Juvenile Court officer, who investigated the case of sixty newsboys, found that fifty-two out of the sixty did not assist in the support of their families. Another officer says, that "most of the boys under twelve years of age sell papers for spending money, and bring little of it to the house." The money earned and spent in such a way can necessarily have very little value to the boy, and as an educational factor would prove of greater harm than usefulness in determining his subsequent career.

The racing form and "stable-boys racing tips" in sealed envelopes can be found on most of the news stands, although Chief O'Neill has given orders to the police officers to confiscate them whenever found on the corner stands. This stopped the sale for a short period, but at the present time they are much in evidence. The boy becomes familiar in his business with the processes and equipment of gaming, he sees the corner man participating in the great game of chance and sees no reason why he should not do likewise. He learns very readily to play "policy," a game that gives the chance to win very large amounts at a very small outlay. When once the boy has selected the winning numbers, however, the die is cast, after that a large portion of his earnings go to the game.

The Harlem race track is a Mecca for many of the betting newsboys in the downtown district. They learn the betting game on the street. They find the large opportunity on the race course

where they can sell their papers, racing forms and programs at a much greater price than elsewhere. They do not stop here, however, but make their pools on the races, and even bet with the book-makers, if they can find some one to place their bets for them. This is particularly true of the younger element of the Americanized Italians and Jews. They have caught the betting spirit, it is the frequent subject of their conversation and costs them no small part of their earnings. Saturday, September 12th, the investigators found from thirty to forty boys selling papers at Harlem, some at the gate, others on the betting floor.

The semi-vagrant is present in the business of selling newspapers because he finds here the easiest way to earn money to sustain his irregular life. During the first three weeks in September, the alley in the rear of the *Chicago American* was visited no less than seven times, by different persons interested in the investigation, and on each occasion there were at least forty and sometimes seventy-five boys, many of them under fourteen years of age. They are smoking cigarettes, eating, sleeping, fighting or "shooting crap," towards morning the most of them will be found sleeping on the floor waiting for the morning editions. Some of these vagrants are foreigners, but a large number are American born, runaways from this and other cities, making their headquarters at this place, sure of a welcome on the restaurant floor. There are no class distinctions here, white and black, American and foreigner, share the same lot. The vagrant can live on fifteen cents a day if he chooses. A cup of coffee, all the bread he can eat, and a stew, to be had for five cents. If he is more fastidious, a bed can be secured in the neighborhood of West Madison street for five cents, making a total daily expenditure of twenty cents. Even the youngest newsboys earn more than this without any great effort, and many of these semi-vagrants, or "sleepouts," earn from a dollar to two dollars a day. By selling extras on the side street some of the older boys earn a dollar in a few hours, and yet these same boys were seen on several successive nights sleeping out in the alley.

The question naturally arises, where does the money go? The answer can be found in the training of the street boy for gambling, and that period of inertia which follows the possession of money when the boy refuses to work as long as he has the means of sustenance. A very small percentage of the earnings, either at the



corner stand or on the street, finds its way to the home or to some useful purpose. In News alley the earnings change hands many times a day, "easy comes, easy goes," seems to be the power that animates the boy vagrant, and it certainly gives him a chance to learn the most dangerous side of life.

Probably no one familiar with juvenile delinquency can seriously doubt that any child that tires of parental or school restraints can go downtown to borrow or beg a "stake," and by joining a "gang," live the exciting and ever-degrading life of the streets. The immediate cost of this pernicious license falls most heavily upon the families of the foreign poor. There is no story more tragic in the annals of life in Chicago than the break between the American boy of foreign parentage and his tenement home. The foreigner's child, even though born abroad, after two years in the public school, is to all intents and purposes an American, while his parents remain European peasants. The mother quite probably speaks no English, and the father just enough to understand his Irish foreman. The boy learns to discount his parents' ignorance, and they misunderstand and half fear his strange new world wisdom. The boy, becoming impatient of their restraint, runs away, sleeps out a night or two, maintains himself by selling papers, likes the license and excitement of the street life, and his home knows him no more. He is now easy game for the experienced vagrant or sneak thief.

A typical case, taken from the records of the Chicago Municipal Lodging House, is that of Peter X. He was found about two in the morning, on one of the coldest days of last winter, sleeping in News Alley. In the morning at the Municipal Lodging House, he claimed that he had no home, was an orphan boy and had come to Chicago from Milwaukee. Later he was persuaded to tell the truth, which was to the effect that he lived on West Ohio street, and was a truant from home. A visit to his home discovered that Peter was the eldest of a family of five, recently emigrated from Italy. It was the old story of the break between new world wisdom and old world restraints. Peter had not been home for six weeks.

The effect of the license of the street in this case was to take from this peasant home its most educated and capable member, and to give to the downtown "kip outs" a new recruit. So far from adding to the family maintenance he shirked his duty.

Girls have long been selling papers in Chicago, so long indeed

that the fact seems to have passed unnoticed. The investigators saw twenty, and a moderate estimate puts them at three times that number. They are mostly Italian, with a few Germans. At one time an attempt was made to stop the girls by refusing to sell them papers, but they were able to obtain them from stands, since that time there has been no further effort to prevent their selling. A little girl who began to sell papers when eleven years old, built up a large trade in the neighborhood of Madison and Halsted streets. For more than two years she sold papers there with great success. She was quick to see the customer, simple and childlike in her replies and gained many friends. At times an older brother came with her to her corner, but generally she came alone. Gradually she lost the simplicity of the early days, she was pert in her answer and brazen in her request. She would saunter into the saloons with the men and drink "pop" with them at the bar, finally her brother saw that she could stand that kind of a life no longer, and she was taken from the street.

A little black-haired Italian girl, who still retains some of the simplicity of childhood, has taken her place. She earns fifty cents a day, and with her three sisters practically supports a crippled father. It is, however, almost criminal for a city to allow a child to be exploited in such a way.

These girls, most of them under thirteen, and some of them only nine or ten years of age, go daily to News Alley to secure their papers. Those who go for the *Daily News* are treated as privileged characters, they are not allowed to stand with the newsboys, but are given their papers in a separate room. At the *American*, on account of lack of space, these papers are distributed from the club and lunch rooms, where the boys and girls obtain their papers from the same window and mingle in the same crowd. The little girls make good sales, they are very persistent and follow a customer until he buys from them. Some earn as much as fifty cents in an afternoon. They do not hesitate to carry their papers into the saloon, in fact they frequent the saloons and are much more welcome there than the boys. The strange incongruity appeals to the frequenters, and it is here they make their most ready sales, but at what cost it is not difficult to determine.

The small boy, the semi-vagrant and the small girl, these three create the problem of the street. If we leave the street without

protection we shall have new problems with each passing year. It is obviously the duty of every American city to face this situation without delay. The conditions in Chicago are no worse than in a multitude of other cities in the East and West. A census of newsboys taken on the streets of Buffalo during the month of March, 1903, which aimed to be representative of the 2,000 newsboys in that city, showed that out of the 328 boys, 273 or 83 per cent. were under fourteen and eighty-four or 25 per cent. were under ten years of age. Out of these eighty-four it was found that three were orphans. There were only eight full orphans and twenty-two half orphans out of the 328 who were examined.

Although the dangers of the street trades are not determined alone by the size of the city, it is nevertheless true that in a city where there are many editions night and morning the chances of abuses are increased many times. New York City has seen this, but has delayed long to seek remedies despite the almost unanimous support of the press. It is a sad commentary on our city civilization that the street child has not been cared for before this. It is difficult for the uninitiated to realize the number of children who are subject to the temptation of a city like New York, or who are lacking in those restraints of home and school which are so necessary for the development of a strong character. The results of this life are repeated almost without the slightest variation. The New York Juvenile Asylum reported, "that out of the 311 boys who had worked at various trades prior to their commitment, 125 or 40 per cent. had been newsboys. Out of this number, eighty had begun between four and twelve years of age." The hospitals, the public schools and the courts all have the same story to tell of diseased bodies, of incapacitated minds and bad morals, the gift of the street to its unrestrained children.

The attempts to remedy this condition have been few in number and rather unsatisfactory in results. In 1902 Boston adopted a system almost identical with that used in Manchester, Liverpool and London, England. The city ordinance of Boston provides that "no minor under the age of fourteen shall, in any street or public place in the city of Boston, work as a bootblack or sell or expose for sale any books, newspapers, pamphlet, fuel, fruit or provisions, unless he has a minor's license." The regulation of 1902 provides, "that the principal of a school or a district in which a minor under four-

teen is a pupil, shall receive the application in duplicate of the parent or guardian of such a minor or of any responsible citizen of Boston, and shall forward the same to the superintendent of schools, accompanied by a certificate of the teacher in whose class the minor may be and the principal of the school stating that they approve the granting of such license to said minor." No minor shall work as a newsboy or as a bootblack unless he is over ten years of age, and shall not sell any other article unless he is over twelve years of age.

The legislature of New York, in April, 1903, amended the labor law relating to children employed in the streets and public places in cities of the first-class (New York and Buffalo). The amendment, "that no male child under ten and no girl under sixteen shall in any city of the first-class sell or expose for sale newspapers in any street or public place. No male child, actually or apparently under fourteen years of age, shall sell or expose for sale unless provided with a permit and a badge." No child to whom such a permit and badge are issued shall sell papers after ten o'clock at night.

These laws are both definite and comprehensive. They mark a welcome advance in preventive legislation. Their enforcement, however, has been a very difficult problem. Many methods have been tried. The Boston law was to be enforced by the board of aldermen. This proved unsatisfactory, and in 1902 a law was passed, transferring the licensing of bootblacks from the board of aldermen to the school board. The committee on newsboys reported in 1903, "that three-quarters of the boys do not obey the law, and its agents on fourteen consecutive days in September, 1903, made observations with the following results: Number of boys not having badges in sight, 140; number having no badges or license, 63; number selling for other boys, 10; number under age, 33; number selling after 8.30 p. m., 117.

As a result of this investigation a special officer was appointed who had special charge of the enforcement of the law. Subsequently considerable progress was made. During the past year there have been sixty-five arrests, all of which except one have been fined. Nine have been arrested for not having their badges in sight. Thirty-seven were unlicensed and ten were arrested for congregating on the street. There have been but four who have been arrested for the second time and two for the third.

The enforcement of the law in New York has been timid and

ineffectual. During the first few days after the law went into effect in September, 1903, the city and the street took it seriously. Then it was discovered that the public schools could not even seat those who had already applied. There was little room for the truant newsboy even if he had been anxious to attend school. The result was a system of half sessions. This was the first excuse. For whenever a boy was found in the morning on the street, he invariably belonged to the afternoon division and vice-versa. The truancy force was too small to enforce the compulsory education law as it should be enforced. The number of violations was constantly increasing and the police were only making sporadic attempts to check the return to old conditions. The result was inevitable, and New York added just one more to the number of her disrespected laws.

In Buffalo the same law had a better effect. The truant officer who distributed the permits for the Board of Education was also a member of the juvenile court, thus assuring the co-operation of the two. The boys whose labor was chiefly affected by the new law worked within well defined limits. One thousand eight hundred and sixty boys applied for permits. A much larger number than was thought to be engaged on the street of that city. These boys received the careful attention of the school authority, as well as the police. The principals of the public schools testify that there was an immediate and continuous decrease in the amount of truancy.

The small boy disappeared almost entirely from the street and the vagrant and truant newsboys were not difficult to detect. Although there may be a few violations of the law in that city, the character of the street trades has materially changed. This is due largely to the fact that the school authorities have taken a hand in the enforcement and have not left it entirely to the police. Even the casual observer who is unfamiliar with the law has seen and commented upon the great change that the law has made in that city.

The laws of Boston or New York are well adapted to the needs of any city, no matter what its size may be. The universal adoption of this law in other American cities would do much to obviate those abuses which are so familiar to the streets of the American cities.



NEWSBOYS OF CHICAGO.<sup>2</sup>

TABLE I.

AGE AND NATIONALITY.

Age.	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	Over 21	Total.	Per cent.
Italian .....	1	3	8	10	20	28	23	33	21	25	13	8	4	4	6	3	2	2	211	21.1
American .....	...	2	2	9	12	21	26	30	31	18	13	13	8	1	5	3	...	3	208	20.8
German .....	...	...	2	10	12	19	18	33	44	22	9	7	1	3	...	...	...	...	180	18
Irish .....	...	...	...	6	10	14	15	23	16	4	11	1	1	2	...	...	...	...	113	11.3
Negro .....	...	...	...	...	...	...	...	2	...	1	3	4	11	25	25	6	1	1	79	7.9
Scandinavian .....	...	...	...	1	5	3	6	14	7	7	8	3	...	...	...	...	...	...	58	5.8
Jewish .....	...	...	3	1	4	6	4	13	6	6	1	3	...	...	...	...	...	...	40	4.0
Polish .....	...	...	...	...	...	2	2	13	7	7	3	1	...	...	...	...	...	...	42	4.2
English .....	...	...	...	...	...	1	2	4	7	1	...	...	...	...	...	...	...	...	15	1.5
Bohemian .....	...	...	...	...	...	1	2	2	6	1	...	...	...	...	...	...	...	...	14	1.4
Dutch .....	...	...	...	...	...	1	2	2	1	...	...	...	...	...	...	...	...	...	8	.8
French .....	...	...	...	...	...	1	1	2	1	1	...	...	...	...	...	...	...	...	6	.6
Canadian .....	...	...	...	...	...	...	4	...	...	...	...	...	...	...	...	...	...	...	4	.4
Greek .....	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	4	.4
Scott .....	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	2	.2
Arabian .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2	.2
Austrian .....	...	...	...	...	...	...	...	...	2	...	...	...	...	...	...	...	...	...	1	.1
Danish .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	.1
Lithuanian .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	.1
Roumanian .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	.1
Syrian .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	.1
Totals .....	1	5	16	37	68	99	103	178	149	95	67	48	28	46	39	11	2	8	1,000	100

<sup>2</sup> A study of street trades conditions in Chicago, made under the auspices of the Chicago Settlement Association, Miss Jane Addams, Chairman, September, 1903.

TABLE 2.

## PARENTS.

Age.	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	Over 21	Totals.	Per cent.
Both living.....	1	4	13	32	56	84	85	153	115	81	56	34	13	36	18	8	1	3	803	80.3
Father dead.....	.....	.....	1	5	10	2	15	8	18	11	4	5	8	4	6	.....	.....	.....	97	9.7
Mother dead.....	.....	1	2	.....	2	4	3	7	11	3	6	9	6	.....	13	3	.....	4	74	7.4
Both dead.....	.....	.....	.....	.....	.....	0	.....	.....	5	.....	.....	1	1	6	2	.....	1	1	26	2.6
Totals.....	1	5	16	37	68	99	103	178	149	95	66	49	28	46	39	11	2	8	1,000	100

## AVERAGE DAILY EARNINGS.

No. of boys.....	1	5	16	37	68	99	103	178	149	95	66	49	28	46	39	12	2	8	1,000
Total earnings.....	\$0.10	0.76	3.01	7.40	26.13	26.30	32.55	56.87	55.06	52.25	42.37	44.67	18.15	51.30	40.55	48.95	3.50	15.75	496.57
Average earnings.....	.10	.15	.19	.20	.38	.27	.31	.32	.30	.55	.64	.90	.05	1.10	1.04	1.58	1.75	1.97	.50

The earnings are given in dollars and cents.

## SCHOOL ATTENDANCE.

In school.....	5	13	35	65	92	93	90	168	120	65	34	26	9	11	9	2	.....	.....	753
Out of school.....	1	3	2	.....	3	7	13	10	20	30	23	23	19	35	30	0	2	8	247
Totals.....	1	5	16	37	68	90	103	178	149	95	66	49	28	46	39	11	2	8	1,000

## WORKING HOURS.

Aggregate hours.....	4	19	62	128	219	394	380	605	617	517	315	285	211	319	284	17	16	71	4,553
No. of boys.....	1	5	16	37	68	90	103	178	149	95	66	49	28	46	39	11	2	8	1,000
Average hours.....	4	4	4	34	3	4	4	4	41	5	5	6	8	7	71	7	8	9	44

## THE TEST OF EFFECTIVE CHILD-LABOR LEGISLATION

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Effective legislation may be tested by either of two standards: the ideal or the practical. It is not ideally effective unless it adequately protects childhood from the various forces which either blindly or selfishly prey upon its birthrights. The proprietor of a large glass-blowing establishment recently stated with frankness the adaptability of children to this business and naively added: "The work takes a little fellow that's nimble and can handle himself." As long as we permit this industry or any other to take "the little fellow" for its own interest, regardless of his higher value to himself and to society, we are far from applying this standard of effectiveness. Holding this as the ultimate aim we must approach it practically.

From this second viewpoint legislation is effective if it carries within itself the possibility of enforcement, however low or high its standard may be. It is sometimes supposed that low standards as to age, physical fitness, educational efficiency, and laxness as to the number of hours children may be employed, are standards that can be maintained without difficulty. Investigation proves, however, that the tendency to transgress is stronger against low than against high standards. In Rhode Island, where a twelve year age limit is legal for work in the mills, and school children of twelve may be granted a certificate to labor upon the recommendation of the overseer of the poor, it would seem that a standard so low would invite universal obedience. On the other hand it is found that there are townships in which no effort is made to enforce even this minimum requirement, and children ten and eleven years of age are found in the mills, while of the twelve year old children only a few appear ever to have heard of such an article as an age or schooling certifi-

cate.<sup>1</sup> In Pennsylvania, where the only educational test is of the ability to read and write simple sentences in the English language, many communities are to be found in which numbers of entirely illiterate children are employed, the intellectual standard being so low as to invite a contemptuous indifference to it by those authorized to apply its provisions.

Legislation, to be effective, must express the collective will of the people. I might call it the "composite" will of the people, for it must be neither the idealistic opinion of the reformer, nor the opinion of a self-centered commercialism. In these days of betrayed legislation it is difficult to determine whether the statute laws are really the voice of the people. If they are, and still are hopelessly inadequate for the protection of childhood it is useless to immediately attempt advanced legislation. The only remedy is to enlighten and educate public opinion to a proper appreciation of child values. But if the legislation is found to be lower than the plane of public opinion, then it must be changed in conformity with that opinion and with certain well-defined principles.

A comparison of two townships in the same state, under the same laws, showed that while in one township the law was almost entirely ignored and children were sacrificed by a combination of parental ignorance and industrial greed, in the other township both parents and employers joined with the school authorities in maintaining a standard quite above the legal requirements and, although the age limit for factories is twelve years, and the maximum age for compulsory school attendance is thirteen, with special exceptions for a lower age, the children of the community regarded fourteen years as the minimum age to leave school and enter the factory, and but few children under that age were to be found in the several large textile mills of the township.

A few of the principles to be recognized in testing legislation are the following:

I. Legislation regulating child labor must harmonize with other legislation affecting the same class in society. The aim is not just to keep the children from working, but to produce intelligent citizens. To this end we must legislate in harmony with the school laws.

<sup>1</sup> Since the above was written the law in Rhode Island has been amended, raising the age limit to thirteen, to be amended to fourteen on January 1, 1907, prohibiting the employment of children under sixteen at night, and requiring proof of age.

The school law is as much a matter of concern as a child labor law itself. It is *child* legislation we are seeking. An effective statute will then provide authority for the investigation of all children within the limits of school age. Because of loose construction the duty of the truant officer is often interpreted as limited to the investigation of truancy on the part of children already on the school roll. This leaves an enormous body of children unaccounted for. The superintendent of schools in one Rhode Island township affirms that there are in that township 1,168 children of school age of whom there is absolutely no official record and no way of accounting for them, while the Pennsylvania Child Labor Committee is responsible for the statement that "in Philadelphia alone there are, after deducting those physically unable to attend school, 16,100 children between the ages of eight and thirteen out of school," and it is not unlikely that a thorough investigation would prove similar conditions in other of our large cities. These armies of children may be in the factories, they may be on the street; they fall through between the truant officer and the factory inspector because of this lack of harmony and completeness in the laws. To be effective, legislation must take account of all the child life in the community.

Also in the educational requirement for labor the standard should agree with the school law. Because of the influx of foreign population the war is beginning to wage hotly over the English qualification. From the standpoint of American citizenship I think I am right in saying that the surest way to make a compulsory educational qualification ineffective is to substitute the words "any language" for the words "English language," as is at the present time seriously proposed in one of our Northern States.

Not only should these laws harmonize in order to be effective, but there is required the most complete harmony between local child labor committees and the educational forces, or the best legislation will fail.

II. Effective legislation will be based on industrial, rather than geographical boundaries. Where the same industries under similar conditions prevail, the difficulty of securing adequate legal protection in one state is increased if in a neighboring state a lower standard is maintained. The fact is clearly proven by a field study of the glass industry in Western Pennsylvania, Eastern Ohio and the pan-handle of West Virginia. Ohio has a fourteen year age limit for the



employment of children, Pennsylvania a thirteen year limit, West Virginia a twelve year limit. Ohio prohibits the employment of children under sixteen at night, Pennsylvania permits the employment at night of children of thirteen, while West Virginia permits children twelve years old to work at night.<sup>2</sup>

The effect of such a situation is that the manufacturer in Western Pennsylvania, when approached on the subject of the restriction of night labor for children, replies with a threat to move over into West Virginia if such a law is enacted, thus frightening legislators into inactivity, while in Eastern Ohio, along the boundary line, which is thickly dotted with glass factories, children are confessedly employed at twelve and thirteen years of age at night upon the plea that the industry cannot compete with West Virginia and Pennsylvania if the law were rigidly enforced. The unity of the entire "Pittsburg District," including Eastern Ohio, Western Pennsylvania and Northern West Virginia, in commercial and industrial interests, suggests the necessity of such legislation governing child labor as shall recognize this similarity of conditions, rather than the arbitrary division of state boundaries. The present high standard of legislation on child labor cannot be made effective or be maintained in Ohio unless West Virginia adopts a higher standard than the present, and Pennsylvania takes an advanced step toward the restriction of night labor.

III. The law must provide adequate machinery and agencies for its enforcement. The law regulating the employment of newsboys in New York City has failed through two defects to establish the purposes of those who advocated better legislation for these little street merchants. The standard is too low, permitting boys of ten years of age to earn their livelihood on the streets, because the public can hardly be expected to take a lively interest in the enforcement of a law for the protection of children nine years of age, which offers no protection to those of ten! But where the standard is higher the law still fails at the point of method of enforcement. Ununiformed school officials should be empowered to carry out the provisions of this statute and an appropriation sufficient to warrant the employment of a large force of such officers should be readily granted. The uniformed policemen, already burdened by duties

<sup>2</sup> Since the above was written the law in West Virginia has been amended, prohibiting the employment of children under fourteen during school terms.

popularly regarded as more appropriate to the strength and disposition of a quasi-military force, are hardly to be expected to arrest ten-year-old newsboys and drag them to the police station for the crime of selling newspapers under age. Even if they were so disposed, those of us who remember the days of boyhood are aware that a small urchin can detect the approach of a stalwart policeman at as great a distance as the policeman can see the boy.

In states providing that certificates of age and educational attainments may be granted by notaries public it has been found frequently true that such officials, having no interest in the matter beyond the collection of the pittance allowed for the clerical work, have reduced the law to a formality, issuing certificates to any who applied regardless of the facts, and cases are on record in which the notary was actually incompetent to determine whether the applicant was able to read and write simple sentences in the English language.

The law must also provide for sufficient tenure of office and sufficient remuneration for those appointed to enforce its provisions. It need not surprise us to find that truant officers whose duties call them to cover a territory of thirty or forty square miles, with a population of above 25,000, and who are paid a salary of \$200 a year, are not uniformly the most competent people in the community, or those to whom the sacred office of monitor to childhood should be committed.

IV. Legislation should definitely prohibit not only the employment of young children but their *permission* to work. The name of every person working on the premises, whether that person is officially employed or is simply "permitted or suffered to work," should appear on the roll of the firm or corporation. Otherwise factory inspection is a farce.

In states failing to make this definite prohibition little children, sometimes pitifully young, have been found in the mills and factories working as helpers of older members of the family. They are not technically employed, the employer has no official knowledge of their presence in his factory, they receive no wages and are not counted among the workers, but the fruits of the toil of these infants appear in the wages of the mother or sister, and their little fingers are thus early made bread winners for the family.

V. The responsibility of duties in respect to the law must be made to rest upon the strongest members of society rather than upon the weakest. Laws which would otherwise prove effective are vitiated by the failure to recognize this simple principle. The law in Pennsylvania provides that no child under sixteen can be employed unless he presents a certificate sworn to by his parent that he is thirteen years of age or over, but no proof is required from the parent to substantiate the affirmation or oath. The law thus constructed invites perjury. In many localities the parents concerned are those whose own experience is utterly devoid of knowledge of the value of an English education or an American standard of living, whose conception of the value of a child is measured by his present earning capacity. To issue an age certificate to a child, based on the unsupported oath of such a parent is to subject that parent to a temptation which falls heaviest upon the weakest and which increases in direct proportion to the parent's incapacity to withstand it.

And, finally, we shall perhaps best understand the close relation our problem bears to other of our great social problems by a consideration of some of the alleged reasons for employing young children, and which help to render legislation ineffective. The excuse most frequently met is the plea for the "poor widow" who will be left without support if her little boy and girl are taken from the factory or store. In every community she is found, and the advocates of her cause are both numerous and powerful. Men of commanding position in the community, as business men and as philanthropists, openly avow the justice of the employment of children of tender years, in labor that dwarfs the body and stifles intellectual growth, because the poor widow would suffer for bread if they were to be emancipated. The plea is a plausible one, but the facts do not justify its claim. Only a small proportion of those whose little children are employed at hard labor are "poor widows," and for these we dare believe society can better afford to make adequate and honorable provision, recognizing their service to the community in the care of their own young, rather than that the young, the only real wealth the community can boast, should be made a meat offering to the hunger of the parent. Let us forever put to shame this brazen slave-master of childhood which poses as philanthropy by showing that whatever the sacrifice, the children of our generation shall not be made the means of livelihood to any member of the community.

Let us publish the revised version of the offerings dedicated to our modern temple of industrial prosperity, and as we sit over against the treasury and see the great and the wealthy cast in their stocks and gold and machinery, let us not fail to see the poor widow who comes, misguided it may be by the industrial superstitions of her day, and casts her two little children into the roaring temple of industry. As they fall, fall beyond recovery, well may we exclaim, as did the Master at that other temple, "I tell you she has cast in more than they all, for they of their abundance have cast in, but she of her want hath cast in all that she had, even her very life!" Proper and systematic methods of relief will prevent the loss of a child's future value to society for the sake of the paltry ninety-three cents a week, the wages actually found to be paid to young children to-day in some of our prosperous northern mills.

Another excuse is that expressed by one glass manufacturer who affirms that he employs young children partly for the purpose of teaching them a trade. The establishment of public trade schools will take away this excuse and will furnish a constructive program of the largest possibilities. The best way to make legislation effective is through the children themselves. They want to go to work. They prefer the factory to the school. There is a sense of personal independence in the young child who can look upon himself as an economic factor in the life of the family. We must so develop our educational system, not through detention schools, not through penal institutions; but through the regular public channels of education, as to feed this practical instinct and cause the child to feel that the training he receives is practical, that he is really gaining that which will advance him materially faster than the same time spent in shop or factory. A little boy met at daylight a few weeks ago as he came out into the frosty morning from one of our New England factories, was asked if he preferred the factory to the school. "Sure," was his quick reply; "de school ain't no good; dey only learn you to write pictures, dat's all; dat's all dey ever learnt me!" He was earning \$1.10 a week for ten hours a day, two days in the week, and loafing the other days. He left school from the first grade and was entirely illiterate. I do not mean to suggest that his criticism was just, for he was too limited in experience to be competent for expert judgment, but confessedly to "learn" a boy "to write pictures" when he had passed to his thirteenth year and is large enough to

have an economic value in a mill, leaves something to be desired. Nor do I mean that we should limit our schools to technical training, but that we should provide at least enough to establish the connection in the child's mind between education and industrial productivity.

This summary of the varied causes of the ineffectiveness of legislation, gathered from the experience of a field study of the problem, is intended only to point the path to that ideal standard of legislation suggested at the first—an expression of the collective will of the people so high in principle and so perfectly adapted to realize itself in fact that it shall accomplish the *adequate* protection of *all* children.



## CHILD LABOR LEGISLATION AND METHODS OF ENFORCEMENT IN NORTHERN CENTRAL STATES

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The enforcement of child labor laws is, in effect, an attempt to reconcile by law two apparently diverging economic interests. The child labor problem has been co-existent with the growth of manufacturing and early required the attention of state legislatures. Half a century ago child labor laws were found on the statute books of some of the Northern and Central States. These early efforts were crude and ineffective, but they formed the nucleus of the present fairly comprehensive systems which have to a large extent allayed the evils of child labor.

From the outset these laws have had to contend with a large variety of deterring influences. Manufacturers with the ever increasing desire for high profits, the lack of sympathy for the laboring classes, and in many instances the honest belief that child labor was necessary for the continuance of their business, together with the natural opposition of the employees who considered such laws as an infringement upon their personal liberty and privileges, made difficult the enactment of proper laws, and because of which enforcement was practically impossible. With the rapid growth of manufacturing in these states public opinion and the majority of the employers have come to understand the necessity and eminent fairness of restrictive legislation.

The development of the child labor laws has been in many instances a series of compromises. Nearly every step forward was gained by the sacrifice, temporarily at least, of some provision which in that respect was a regressive movement, so determined was the opposition. One state after another adopted measures which on their face appeared to reach the difficulty, but which failed of their purpose because they lacked the first essential of a successful child

labor law, an appreciation of the weakness of human nature, and adequate provisions for enforcement. Our whole experience with law and order demonstrates that to arouse public interest in the child, to awaken from lethargy the public official to the realization and confession that a genuine evil exists, is a comparatively easy matter; but to crystallize this sentiment into law, to enact a system of corrective legislation supplemented by adequate machinery of enforcement is a proposition fraught with no little difficulty. It has always been easy to convince, but hard to persuade.

The gradual growth of this class of legislation in the Northwest from the earliest efforts down to the present time can best be observed by tracing the development in one particular state and comparing the problems and the attempts at solution with similar tendencies in the neighboring commonwealths. The state of Wisconsin will be taken for this purpose, first, because of its varied experience with child labor legislation, and, secondly, because through its remedial statutes it has constructed probably one of the most effective systems.

Wisconsin first recognized the child labor problem in 1877 by a law which prohibited the employment of children under 12 years of age, during the school year, in factories where conditions were deemed injurious to their health. The law was a failure, so far as results were concerned, because of its indefinite application, low age limit, and its failure to provide any effective means for enforcement. It only provided that district attorneys should prosecute violations on complaint, but there being no one charged by law with the duty of investigating the places of employment, few complaints were made, and the law was very generally disregarded. Amendments in the following year made the law more definite and certain, but still provided no means for enforcement. The legislature failed to realize that men who see a pecuniary profit in violating a law will not desist simply to satisfy their conscience as to the commission of an act merely prohibited and made illegal.

In 1883 the bureau of labor was created and charged with the duty of enforcing the law, but was given no facilities for doing so. This act was an important step, not so much for its own provisions, but in that it provided a framework about which to erect the machinery for enforcement which it was seen would have to be adopted in the near future if the child labor law was ever to become more

than a mere threat to the violators. In 1885 a factory inspector was provided for, but as his duties went no further than to post the law in the places of employment inspected by him, his influence was really small.

In 1889 the legislature made a general revision of the child labor laws. The age limit was raised to thirteen years, and the law extended not only to factories, workshops and mines, but also to stores, places of business and places of amusement. This measure by its increase in the minimum age limit, and extended scope, represented a considerable advance in the accepted views as to restrictive legislation, but the one positive essential to a successful and adequate means for enforcement, was still lacking.

Another weakness of the law of 1889 was the introduction of the permit system. While it made unlawful the employment of children under thirteen years of age, it authorized the county judges to grant permits at their discretion, excepting from the operation of the law children over ten years who could read and write English. It was the intention of the permit provision so to modify the law as to enable persons really in need of the earnings of their children to get early assistance from this source. This system presupposes that the officer granting the permit will make an investigation of each particular case. Since in practice, the only source of information to the judge is the applicant himself, it was not surprising that the prospect of exemption from the law should awaken a disregard for the truth, and the officers be overwhelmed with tales of misfortunes. The judges, whose regular duties already more than occupied their time, found it impossible to investigate each case, and giving the applicant the benefit of the doubt, generally granted the permit. Under this practice the restrictive age was really lowered to ten years, making it a regressive rather than a progressive provision.

In 1891 the legal age was again increased from thirteen to fourteen years, and the minimum age at which county judges could grant permits was raised from ten to twelve years. This law also made it the duty of the labor commissioner and factory inspectors to prosecute violations of the law. But the entire factory inspection force at this time consisted of only two persons. To inspect the factories of the state and to enforce laws relating to dangerous and unsanitary conditions of employment, fire-escapes and other safe-

guards of the public health in accordance with those laws which were capable of enforcement and violations of which were more readily detectable was a much larger task than would occupy the time of the most diligent inspectors. Moreover, their time could be devoted to this work with far greater profit to the state than could possibly result from the thankless and disagreeable task of attempting to enforce child labor laws which were entirely inadequate and destined to prove a failure from the start. So that, while on the one hand the lack of provision for enforcement of the law operated to divert the attention of the factory inspectors to other more fruitful laws, the permit system, on the other hand, operated to virtually legalize the employment of child labor down to the limit of ten or twelve years of age and in many instances to vitiate whatever enforcement was attempted.

The situation in Wisconsin under this law is aptly summarized by the Commissioner of Labor in his report for 1897-1898. He says: "To completely enforce the law has been found very difficult. The reasons for this may primarily be found in the facts that it is so frequently violated and that these violations are, as a rule, very hard to establish. The reasons for this are easily guessed at. The inspectors cannot tell the exact age of the child from its appearance alone. By common understanding the children themselves, their parents, and not seldom the employer, usually endeavor to deceive the inspectors on this point. Besides this there is in this state a notable lack of reliable or complete birth records. Roundabout and laborious methods are therefore necessary in order to obtain data relating to the ages of children that are complete enough to furnish a safe basis for further proceedings. While the first step to obtain data as to their ages consists of a personal examination of the child, this seldom brings the desired result. They are ready enough to answer all questions, but experience soon teaches that the replies given concerning their ages cannot be depended upon. As a rule, the children do not only studiously misrepresent their age, if younger than the age limit fixed by the law, but besides this they also, as a rule, are provided with certificates signed by their parents or others concerned showing that they are fourteen years of age or past, regardless of the facts of the case. Cases have even been met with where parents, anxious to either obtain employment for their little ones or to keep them at work, have changed the records of their

ages in the family Bible and other places. Numerous other devices for the purpose of deceiving the inspectors are constantly resorted to. The obstacles of all kinds which the inspectors must overcome in order to perform their duties are often both unpleasant and very difficult."

It was not until 1899 that the Wisconsin child labor problem was taken up by the legislature in anything like a serious manner. The law then adopted retained the permit system to exempt children in needy circumstances, but the authority to grant such permits was also vested in the labor commissioner and factory inspectors. The most important provision, however, was in the recognition of the cause of former failures, that is, the lack of provisions for enforcement, and hence when this law provided for six additional factory inspectors it appeared that the day of rigid enforcement was now at hand. The law prohibited the employment of children under fourteen years at any time in factories, shops or mines and at any time except during the vacation of the public school in stores, laundries and the messenger service. By an amendment in 1901, the application of this law was extended to prohibit the employment of children under fourteen years of age in bowling alleys, bar-rooms and beer gardens. The law also authorized the commissioner of labor and the factory inspectors to prosecute all violations of the law, and added a new provision which required employers of child labor to have and keep on file and accessible to the factory inspectors, affidavits of parents of all children under sixteen years of age. These affidavits were to be regularly sworn statements, showing the name, place and date of birth of the child and the place and time of school attendance. By this latter provision it was not intended to restrict child labor under sixteen years, but by requiring the affidavits for all children under that age it was believed to be easier to enforce the restriction as to fourteen years.

It was hoped that this provision would help to solve the child labor problem. Indeed, the first few months of its operation bore out this expectation, but an unfortunate tendency soon manifested itself, the temptation to falsify affidavits. In anticipation of just such methods the affidavit had required a statement of school attendance, to be referred to in case of discrepancies, but the number of obviously false affidavits increased so rapidly that inspectors found themselves swamped in trying to investigate them. Employers in



the name of industrial necessity secretly encouraged this demoralizing tendency adopted by unscrupulous parents, which robbed the schools and instructed the children in the arts of falsification, as to the extent of which they had not the slightest conception. The rapid growth of this vicious practice demonstrated emphatically that the affidavit system was not adapted as a means for successful enforcement of child labor legislation.

The facts growing out of this condition of affairs were laid before the legislature of 1903 which again revised the law, abolishing the affidavit system and in place of affidavits by parents required all employed children from fourteen to sixteen years of age to obtain permits from the commissioner of labor, factory inspectors, or judges of the county, municipal or juvenile courts, authorizing the employment of the child during such time as the officer granting the permit may fix. These officers are required to keep a record of the name, age and school attended by such child and a report as to the number of permits issued must be sent to the commissioner of labor or factory inspector. When the granting officer has reason to doubt the age of any child applying for a permit he may demand proof of such child's age by the production of a verified baptismal certificate, or a duly attested birth certificate, or in case such certificate cannot be secured, then the record of age as stated in the first school enrollment of such child, and in case no such proof can be secured then by the production of such other proof as will satisfy the officer authorized to issue the permit. No permit is to be granted under this law unless proof of the child's age is filed with the commissioner of labor or other granting officer. The filing of such a permit by the employer is a condition precedent to legal employment. A child of legal age finds little difficulty in securing satisfactory proof, but it is practically impossible for persons not entitled to permits to deceive a diligent official. Under this law it is possible to enforce the child labor law in Wisconsin, a thing impossible under the affidavit system.

Turning now to the other Northern Central States, the first child labor laws were adopted as follows: Ohio in 1852, Illinois in 1877, Indiana in 1881 and Michigan in 1885. These laws, with the amendments adopted by the next succeeding legislatures prohibited under a penalty the employment of children in certain occupations which were deemed especially injurious to them, fixed the age limit

under which no child could be employed at any labor, and fixed the number of hours they might be employed in other occupations. The age limit for factory work was placed at twelve years in Illinois, Indiana and Ohio, and at fourteen years in Michigan unless such child had attended public school for four months of the year in which he sought employment, when the age limit was put as low as ten years.

Adequate penalties were provided in each case for violations, but the laws were of little avail because of their indefiniteness, low age limits, and like the Wisconsin laws failed principally because they did not provide means for enforcement. Each law provided in effect that a violator of the same should be liable to prosecution before any justice of the peace or court of competent jurisdiction in the county in which the illegal employment was given, but left the duty of instituting such prosecutions to irresponsible and voluntary initiative. As was to be expected, few complaints were ever made to the district attorneys and prosecutions were so rarely heard of that instead of restricting the employment of children, the law was ineffective and child labor increased with the rapid growth of manufacturing. The legislatures had not yet learned that a social evil is not remedied merely by making it illegal.

To better enforce the law bureaus of labor and departments of inspection were created, entrusted with the duty of prosecuting violations of the law. Along with these provisions was a general movement to increase the age limit to fourteen years and extend the application of the law to mercantile establishments, offices, hotels, laundries, etc. Manufacturers were required to keep a record of all minors in their employment, stating their names, ages and residence, which were to be substantiated by affidavits of parents, kept on file. Factory inspectors were authorized and empowered to visit and inspect all manufacturing and mercantile establishments and report all violations to the district attorneys who were to prosecute such violations. Ohio adopted such a law in 1885, Illinois in 1893 and Indiana in 1897.

Michigan did not follow this course in her legislation. It placed the duty of enforcing the child labor laws on the local police force. The chief or superintendent in all cities was authorized to inspect places of employment and prosecute any violations of the law. If necessary he was empowered to detail a part of the force on duty of

this nature. In the city of Detroit the board of building inspectors was given concurrent jurisdiction with the police, while in towns the duty of enforcement was placed on the supervisors. This law was repealed in 1895 and as in other states the enforcement was placed in the hands of factory inspectors.

The legislation of this period which for convenience may be called the second period of development, introduced the affidavit and permit systems. By these laws a minor applying for employment was required to present an affidavit from his parents or guardians stating his name, age and residence, which was to be placed on file by the employer for reference in case of investigations. As the laws only fixed a minimum age and made in several instances two exceptions, first where the earnings were necessary to support parents in indigent circumstances, and second, the permitting of employment during school vacations, and such periods as the compulsory education laws permitted, a ready method for evasion was provided which was not long neglected. In each of the states, parents finding the comparative ease with which the law could be evaded easily, yielded to the temptation to forswear themselves and many children were found at work who were clearly not of the required age, yet possessing the proper affidavits could not be removed. Record evidence not being available for comparison as to ages, and the number of inspectors in each state being far too inadequate to deal with the question properly, the number of children employed was not very materially reduced. In Illinois alone the number of child laborers seems to have doubled during five years and Ohio and Indiana showed large increases.

The present laws are the result of efforts to remedy practically similar difficulties and as might be expected have many provisions in common. The minimum age limit is placed in all the states at fourteen years except in Ohio where it is thirteen years. Manufacturers are required in some states to keep the regular record of minors employed and to post in a conspicuous place a list of such minors with the ages which are to be substantiated by affidavits of the parents placed on file with the employers, and to be submitted to the factory inspectors on request. The Wisconsin provision for enforcing the fourteen year limit by requiring permits for all children up to sixteen years is in general use. The Ohio law provides that no boy under fifteen years and no girl under sixteen

years is to be employed for wages at any time while the public school is in session. Indiana prohibits the employment, except during school vacations, of children under sixteen years who cannot read or write simple English sentences.

The operation of the affidavit system as it is in vogue in these states seems far from satisfactory and reflects all the weakness of the Wisconsin law of 1899. Such a system is necessarily based on the theory that the parent in making the affidavit will be guided by perfect honesty. Experience shows that just the contrary is true. These laws all have the same end in view, the provision for the safe-guarding of life and health and a development in harmony with industrial and educational civilization, but their ineffectiveness is largely due to a lack of understanding of the fallibility of human nature. Where the game is worth the candle human ingenuity is well nigh inexhaustible, and even to maintain existing regulations constant vigilance of legislative bodies is necessary. Some people will always evade the law, but when opportunity is given so that violations become so frequent and insistent that the limited number of inspectors find it impossible to compare the affidavits with record evidence, the law ceases to be effective, perjury and dishonesty receive material rewards and the prohibitive law becomes permissive. Such affidavits cannot be easily attacked since the burden of proof in each case is on the inspectors. Where parents refuse to forswear themselves or the violation is so flagrant as to be apparent on the mere examination of the child the law does succeed in reducing the number of child laborers. Two other expedients have also been adopted. They are, first, the requirement of certificates of physical fitness, and secondly, requirements for a knowledge of reading and writing. The first provision enables the factory inspectors to require any child which appears to him to be physically unfit for labor to undergo a physical examination and is only retained in employment when such examination reveals a healthy constitution. This provision has been very effective in removing from the glass, cutlery and garment trades a large number of cripples and deformed children. The educational provision has been more difficult of enforcement due to the lethargy of school authorities.

Experience shows that it is wrong both in practice and principle to permit any exemptions from the law. Indeed to do so is really to amend the law and substitute the exceptions in place of

the original intention of the law. To authorize the employment of a child because his parents are in need of his earnings is only a temporary expediency which instead of being beneficial is often a detriment to parent and child alike. It encourages indolence and dependence in parents for which it sacrifices the health of the child. It is better that the state should support a few really needy families than to favor a practice which abrogates the law. Further, the granting of permits during the school vacations changes the habits and ambitions of children and enables them to become employed in factories where, once legally entered, factory inspectors cannot always find them. On account of the comparatively short period of the compulsory school attendance the law is also often restricted so as to apply only to about half of the year and in some states to even less.

Illinois in its latest law has avoided the evils of the affidavit system. This law, adopted in 1903, besides the common provision for the maintenance of a register and record of the minors employed, requires as a condition for employment the deposit of an age and school certificate by the child, this certificate to be approved by the school superintendent or director or by some one authorized by him in writing. The certificate is in no case to be approved unless record evidence as to age is given, but where such evidence is not obtainable the information may be given by the parents. The law requires the school board to provide an office where the certificates are to be issued and recorded, and age statistics to be maintained. But before the age certificate is accepted a certificate of school attendance must first be presented, a duplicate of which is sent to the factory inspector's office. No minor between fourteen and sixteen years is to be employed who cannot read and write simple sentences, in cities where public and evening schools are maintained, unless such minor attends the evening school or is employed during the vacation only. Complaints for violation of the law may be made to the school board of the district which is to report them to the factory inspectors for prosecution.

This law escapes the evils which confront Michigan and Indiana, and which also confronted Wisconsin under the law of 1899, in that it does not go to the parents for information until the last resort. The board of education is required to maintain a complete record of ages of all children in its district. Since a copy of these



certificates is required to be deposited with the factory inspector's office, any discrepancies or suspicious circumstances can easily be detected. The means by which this law can be evaded is where parents must be asked for information and in the forging of certificates. In suspicious cases evidence can thus be obtained without difficulty and as many as from 1,000 to 1,500 violations are successfully prosecuted annually.

There should be mentioned in this connection a growing tendency to place in the inspectors a large discretionary power. Inspectors on their tours found large numbers of children who were over the minimum age engaged in occupations which slowly but certainly were crippling them, injuring their health or exposing to danger their limbs or very life itself. This gave rise in Ohio to a provision which has since been adopted in substance in Michigan and Illinois, and which provides that no child under sixteen years of age shall be engaged in any employment whereby its life or limb is endangered or its health is likely to be injured, or its morals may be depraved, and places the duty of enforcement on the factory inspectors. The Ohio provision was general and indefinite and compelled the inspectors to define such dangerous occupations. An extensive classification of occupations was made including in such danger list every operation which could in any manner be construed to be dangerous to health or morals, and so rigidly is it said to be enforced that the employment of children under sixteen years in such occupations has become practically impossible. Illinois, in its law of 1897, had a provision very much like that of Ohio, but in the law of 1903, rejected the general terms and prohibited absolutely the employment of children under sixteen years of age in a large number of enumerated occupations, as the cleaning and oiling of machinery, operating cutting and stamping machinery, and handling injurious chemicals. The effect of this law has been to raise the minimum age to sixteen years in all dangerous occupations in those states which have adopted such a statute and where it is enforced.

But the child labor law, no matter how drastic its terms or how rigid its provisions for enforcement, is still destined to failure so long as legislatures fail to appreciate that its success is largely determined by supplemental legislation. By discharging the child from employment, but going no further than that, the state has only partially discharged its duty. Idleness in a large city is not always to be

preferred to some kinds of employment, but in no case is employment to be preferred to the public schools. Many states boast on their statute books a law which appears to be far-reaching enough, but which does not accomplish the full measure of good because it only causes the discharge of the child who immediately seeks employment in some other occupation, equally in violation of the law, or what is often even worse, leads a life on the streets. The child labor laws cannot be enforced as a unit. They can never accomplish their real end until the whole child problem is regarded as one distinct entity, and there is enacted a comprehensive scheme of which the child labor law and the compulsory educational law are integral parts. The educational system must be so adapted to the industrial system, dovetailed into it, so as to give the widest possible range of school life consistent with industrial training and ultimate social good, and the machinery of enforcement of both must be made to work in harmony and co-operation.

The Northern Central states now recognize this necessary interrelation. Each of these states has a compulsory educational law requiring school attendance up to the minimum age of employment. For the enforcement of these laws truancy officers are provided, whose powers and duties vary somewhat in the different states. The laws of Indiana, Illinois and Michigan go no further than to direct the truancy officers to investigate and report violations of the laws to parents and to prosecute those liable. The Illinois law is in reality stronger than would appear from a reading of the section because the labor laws vest in the school authorities the power and duty to grant the age and school certificates for employment and sending copies thereof to the factory inspectors. Ohio has vested her truancy officers with police powers and authorizes them to enter factories and other places of employment of children, to discharge the children and place them in the public schools and to prosecute both the parents and the employer for the violation. Wisconsin has not given the powers of factory inspectors in this regard to the truancy officers, but makes up for this partially by giving to the factory inspectors all the powers of truancy officers, thus enabling an inspector to follow up a discharge from employment and place the child in the control of the school authorities.

It would appear from this review that the future development of child labor legislation is likely to vary somewhat from certain

existing provisions. The experience of every state with the affidavit system shows conclusively that other means of enforcement must be adopted. The legislatures must consider that to permit opportunity for evasion means to sanction evasion. In this respect the present Wisconsin and Illinois laws offer some relief in placing the power to grant permits beyond the influence of parents. The difficulty to-day, as ten years ago, is still with the enforcement of the law. Then it was more a matter of error in method; to-day it is insufficiency of means. Every state has placed the duty of enforcing the law upon the factory inspectors, but no state has a force of inspectors large enough to cover thoroughly the field and give it such consideration as it requires. Prosecutions have been numerous and have succeeded in causing employers to hesitate before they entered upon an agreement for illegal employment. With the great industrial activity of recent years the number of violations of the law has increased to some extent, but the chief remedy for this lies in extending and adding to the inspection force.

Child labor legislation in the Northern Central States to-day occupies a favorable position. This is due largely to the change of opinion by the public and by the employers as a body. Public opinion is not created in a day nor does it always act promptly even after it has been aroused. The bureaus of labor and factory inspection have, through their persistent work, helped to place this problem in its true light and this in turn has assisted in creating a general demand for effective child labor laws. Further, the employers who formerly fought every step in the progress of this legislation have since learned that the evils which they feared were largely imaginary and that industry will not suffer if the law is uniformly enforced. In fact some of the strongest supporters of child labor laws to-day are employers who formerly opposed them. Another force which tends to alleviate the difficulties is the growing efficiency of the school laws, and the passage of statutes prohibiting the employment of children in violation of the school laws together with the granting of concurrent powers for the enforcement of these laws to the factory inspectors and the truancy officers. These forces in their slow but not uncertain way, are bringing together the child labor law and the compulsory educational law into the harmonious relationship of one complete scheme, where each, though thorough, in its narrow sense, must in its broader meaning be a supplement to the other.

## CHILD LABOR LEGISLATION AND ENFORCEMENT IN NEW ENGLAND AND THE MIDDLE STATES

BY MRS. FLORENCE KELLEY,

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It is, of course, impossible to deal thoroughly with the legislation and the enforcement of laws in the ten states which have the largest number of children at work. Yet such is my task, for the Middle States and New England have all those industries which call most insatiably for the work of boys and girls,—the textiles and needle-trades, tobacco manufacture, the glass trade, mining and retail commerce.

These states run the gamut from Delaware, where the first child labor law, enacted in 1905, is not yet in effect, to New York and Vermont with the most advanced legislation yet achieved.

Perhaps the simplest way to deal with these ten states may be to take them one by one with a few lines for each; after pointing out their position in the Census of 1900 with regard to illiteracy in children. In that year these states, when graded by the actual number of children found illiterate between the ages of ten and fourteen years, ranked as follows in the scale of fifty-two states and territories:

Rank.	States.	Number of Illiterate Children, 10-14 Years.
6	Vermont .....	287
12	Connecticut.....	436
14	New Hampshire.....	557
15	Rhode Island .....	691
18	Delaware.....	845
21	Maine.....	1,255
26	Massachusetts.....	1,547
31	New Jersey.....	2,069
35	New York.....	4,740
38	Pennsylvania .....	6,326
		Total, 18,753

When graded according to the per cent. of children able to read and write the ten states rank as follows:

Rank.	States.	Per Cent. Able to Read and Write.
7	Connecticut .....	99.43
9	Massachusetts .....	99.33
14	New York .....	99.26
17	Vermont.....	99.05
20	Pennsylvania.....	98.99
21	New Jersey.....	98.81
24	New Hampshire .....	98.31
26	Rhode Island.....	98.12
28	Maine.....	97.92
32	Delaware.....	95.49

When graded in the scale of fifty-two states and territories according to the actual numbers of their illiterate children between ten and fourteen years of age in 1900, these states rank from Vermont (6) down to Pennsylvania (38). When graded according to the per cent. of children able to read and write at the same ages, in the same year, these ten states rank from Connecticut (7) down to Delaware (32).

In the light of these figures seven of these ten states have, during the five years since 1900, enacted new statutes dealing with child labor and compulsory school attendance, viz.: Vermont, Rhode Island, Massachusetts, New York, New Jersey, Pennsylvania and Delaware. Maine, Connecticut and New Hampshire keep their statutes as they were in 1900.

The new law of Delaware prohibits all employment of children under the age of fourteen years *in manufacture*, requires three months' school attendance of working children between fourteen and sixteen years, and restricts their working day to nine hours.

Next to Delaware, geographically and in certain other ways, is New Jersey. New Jersey prohibits the employment of children, *in manufacture*, to the age of fourteen years; and requires attendance at school to that age. While, however, a child under the age of fourteen years is thus protected, a boy or girl arriving on the fourteenth birthday from Syria, Armenia, Russia, Italy or any other foreign country, may go to work at once, although wholly illiterate. Such a child need prove no intelligence, no educational achievement, before proceeding to work in the glass works where boys are reg-



ularly employed two weeks by day and two weeks by night. Both boys and girls may work at night to the limit of fifty-five hours in one week.

Last January, the writer had occasion to visit the charming old town of Salem, N. J. In the glass works there were boys slight and delicate, markedly undersized if they were sixteen years of age, yet working regularly at night two weeks in every four. During that week, boys were imported from a so-called charitable employment agency to work in that glass works. Not long before, two boys were carrying bottles from the blower to the cooling oven when, being (as their fellow employee described the accident) "drunk with sleep," they collided and their burden of white hot glass was shattered in thousands of splinters. Some of these particles flew into the eye of one of the boys, destroying it. It was for work such as this that boys were imported. No law is violated when these boys work at night; or when others are imported to work as they work. Ultimately, work in glass factories will doubtless be prohibited as a dangerous trade for all boys under the age of sixteen years. But none of the ten states under discussion so treats it at the present time.

It is one of the unfortunate episodes of the long and widespread campaign for legislation protecting the working children, that while the New Jersey law was amended in 1903 to raise the age of working boys from twelve to fourteen years, the excellent older law was repealed in 1904, which had, since March, 1892, prohibited the employment of women and minors under eighteen years of age after six o'clock at night and after noon on Saturday, in all manufacture except that of glass, canned goods and preserves of perishable fruit.

The law is enforced by truant officers who *may* be appointed by the different communities, locally, and by factory inspectors who are state officers. The improved efficiency of the factory inspectors is indicated by a conspicuous increase in the number of successful prosecutions of employers who have violated the law during the past two years.

Next to New Jersey, geographically and in certain other ways, comes Pennsylvania. This state has, on a large scale, all the industries which call for the labor of children,—mining, tobacco manufacture, textiles and needle-trades, glass works and retail commerce. It is thus not accidental that the number of children at work under

the age of sixteen years is larger, by some thousands, in this state than in any other, or that the opposition of employers to legislation for the effective restriction of the employment of boys and girls is more stubborn and more effective here than elsewhere in the North.

Pennsylvania has recognized the existence of dangerous trades in which children must not be employed, by providing that boys under sixteen years of age shall not work underground in mines. But this is the sole ground upon which the second of the great manufacturing states may justly claim distinction in the matter of protecting its working children.

Hitherto, Pennsylvania has permitted boys and girls alike to work at the age of thirteen years, provided that they could read and write. Moreover, this requirement frequently meant merely an ineffectual effort to scrawl the name of the candidate for work. And those who may work at all, may work at night, usage sanctioning such work increasingly in the mills in the anthracite region.

Should the bill now awaiting the signature of the governor become a law, Pennsylvania will take her place among the states which prohibit work in manufacture and commerce to the age of fourteen years, providing effectively for proof that the child is really of the age alleged. Night work will, however, be merely somewhat restricted, not prohibited.

The child labor laws of New York are in some respects the most advanced of all the laws on this subject to be found in the republic. They are excelled only by the provisions of the statutes of Illinois and Vermont prohibiting the employment of children under the age of sixteen years, longer than eight hours in one day and forty-eight hours in one week, and after seven o'clock in the evening; and by the kindred provision of the statute of Ohio prohibiting the work in manufacture and commerce of girls under eighteen years and boys under sixteen years after six o'clock in the evening; and, finally, by the specific enumeration in Illinois and Ohio of a long list of forbidden occupations dangerous to life, limbs, health and morals.

Yet, with this pre-eminent position among the states, it was still possible for a little lad fourteen years of age to perish in New York City of privation and exhaustion within a few weeks,—starvation his physician called it,—while striving to support himself, his mother and a younger child by his exertions as newsboy. It was

perfectly legal for him to work until any hour of the night, to begin at any hour of the morning, because he was fourteen years old, while the statute merely requires that children shall not begin under the age of ten years to sell papers; must wear a badge to the age of fourteen years and, between ten and fourteen years, must not work after ten o'clock at night. To the street children and those engaged in retail stores our New York laws are still cruel in that they permit work until this late hour, for children ten to fourteen years old as newsboys; for children fourteen to sixteen in stores, as messengers, etc.

A few evenings before Christmas, two members of the Consumers' League visited leading department stores in New York and found in one a large number of small girls working after ten o'clock in violation of the law. If the children fourteen to sixteen years of age had stopped at ten o'clock there would have been no violation; but they worked twenty minutes longer.

A farther serious defect in the child labor law of New York is the toleration of home work in the tenements. So long as this continues, there will always be defective enforcement of the prohibition of the work of young children. This is exemplified in the experience of a family known to the writer who make paper bags in their cellar dwelling in the Lower East Side of New York City. Their father died four years ago, leaving Ephraim, Hyman, Sam, Jakey and Louis, besides a baby girl. Ephraim, who was eleven years old, had gone to school long enough to reach the second primary grade. None of the others had ever gone to school before the father died and none of them has ever gone to school or to a kindergarten since his death. How have they escaped the truant officer all these years? By staying in their basement in the rear of their tenement house, making paper bags with their mother. If they had been playing in the street, they might have been caught in some of the raids of the truant officers. If they had been working in a factory or a regular workshop, they would have been turned over to a truant officer by the factory inspector. But how could a truant officer guess four years ago, or at any time since then, that six children had become a part of the sweating system? Or that they were continuing to do so to the present time when the eldest, at the age of fifteen and a half years, has forgotten the slight acquaintance with the alphabet which he contracted when he sometimes attended

the second primary grade? The only possible remedy for this odious form of child labor lies in the sweeping prohibition of manufacture in the tenement houses. This transfer of work from the family living room to the factory open to inspection is the most urgent need of the working children of New York to-day.

Aside from these defects, the characteristic excellence of the laws of New York is the effective manner in which they interlock the provisions requiring school attendance and restricting the employment of children under the age of sixteen years. To the fourteenth birthday, all children must be at school. Between fourteen and sixteen they must all be at school or at work. After the fourteenth birthday, before beginning to work in a factory or workshop, store, office or as messenger or delivery boy, a child must prove its age by means of a passport, a birth record or a religious record. He must also file with the Board of Health a signed statement of the principal of his school, showing that he has attended school one hundred and thirty days since the thirteenth birthday, receiving instruction in reading, writing, English grammar, geography and arithmetic "up to and including fractions." Finally, the physician who grants the certificate under which the child may begin work, must himself sign and file the statement that, in his opinion, the child is "of the normal stature of a child of his age, and in good health."

The final veto upon the immediate entrance of a child upon his life of work rests with the examining physician of the local Board of Health who, after receiving the school record and the proof of age, after satisfying himself that the boy or girl can read fluently and write legibly, and can do sums in fractions, may still say to the candidate for working papers, "You are not up to the physical standard. I do not consider you of the normal stature of a child of fourteen years of age," and may refuse to issue the certificate.

This advantage New York has over all the states. It is a sorrowful thing that in all our enlightened republic, only one state should have gone so far as that.

It is fitting that the law of New York should be more rigid than that of many other states by reason of the vast immigration of foreign peoples to its manufacturing centers. No other state receives so large a share of the total immigration as New York. No other working people are subject to such pressure of competition

from these newcomers as the wage-earners of New York. It is doing little to protect the people already here, when illiterate, or undersized, children are kept in school until they have completed that portion of the curriculum of the public schools which would normally be covered by a child of twelve years who had entered school at the age of six years and made all its promotions without interruption or failure.

On the other hand, no other employers have such opportunities to find, ready at hand, every grade of labor, as have those of New York. New York has been well described as having an "inflowing labor market." No employers in the world can better afford to acquiesce in the retention of all the children in school until a certain fixed share of the work of education has been completed than the employers in New York.

Most of all do the children of the enormous army of incoming immigrants direly need the protection of such a legal minimum of stature and of education as the new laws of New York guarantee them, if they are to hold their own in the competitive struggle for industrial existence, and to become safe and useful citizens.

An unforeseen advantage of the new laws is the effect which they are producing upon the schools. The enforcement of the required minimum of tuition has brought to light the fact that many thousand children are reaching the age of fourteen years without achieving this modest share of the curriculum.

The reasons for the belated state of thousands of children are receiving a degree of attention never bestowed upon them. Are the children mentally defective? Obviously this cannot explain the plight of thousands! Have they been badly taught? Are the classes overcrowded, the teachers insufficiently skilful? Are the children undernourished so that they cannot learn? The Board of Education of New York City has made suggestive experiments with special classes of two different kinds, one intended to bring forward bright children of foreign birth who merely need coaching in the English language, the other kind intended to eliminate from the ordinary class those children who are conspicuously unfit for physical or mental reasons to keep up with the normal children, thus freeing the regular teachers from this burden, and giving the backward children the benefit of specialized care. These experiments will need to be carried out on a large scale for a considerable time before



it will be possible to judge what farther comprehensive steps are indispensable for bringing up the belated children. Meanwhile the schools are subjected to an automatic test of their efficiency by the simple device of being required to get the children up to the normal work of a healthy, intelligent, regularly attending child of the age of twelve years, on pain of keeping the child in school to the sixteenth birthday.

Down to the year 1890, Massachusetts was far in advance of the other states in the matter of the care of the children. Since that year several states have been reducing the per cent. of illiteracy among children more rapidly; and more than one has also excelled Massachusetts in the enactment of provisions restricting child labor.

The legislature of Massachusetts has recently enacted a new law which provides that a child must have a certificate from the school committee setting forth ability to read and write, before it can legally begin to work. The need for this measure was brought to light in a striking manner by a city missionary in one of the cotton mill towns of the state, who found two little Syrian boys working in a cotton mill who seemed to be less than twelve years of age. On inquiring as to the evidence of their age, the missionary found certificates filed according to the letter of the law, bearing the seal of the community in Syria from which they had come. Holding these against the light the missionary saw that the paper upon which they were inscribed bore the Holyoke water mark. They had been written and sealed with the seal of his native place, by a Syrian priest living in Massachusetts, who had thus obligingly furnished all the birth-records needed to enable small Syrian boys, in his part of the state, to go to work at any age at which the employer could find them of use.

Such evasions of the law become impossible when the child must convince a responsible physician of the local Board of Health that it is able to read fluently and write legibly simple sentences in the English language; and has attended school a certain number of days since the thirteenth birthday, being instructed during this time in arithmetic "up to and including fractions," and is of the normal stature of a child of its age and in good health.

By the adoption of a new statute in 1904, Vermont has come into the forefront of the states in her care for her children. Until last October, children could legally begin to work in the mills at

the age of ten years, during the vacation of the public schools, if able to read the English language.

Since the enactment of the law of 1904, they must attend school to the fifteenth birthday one hundred and sixty days in each year; and although they may work eight hours a day during the vacations of the public schools, after the twelfth birthday, they must first be able to read and write in the English language. Moreover, the restriction of the hours of the children to eight in one day makes them undesirable employees in cotton mills, so that there is not likely to be much use of vacation labor. To the age of sixteen years, they cannot legally work longer than eight hours in one day or after seven o'clock at night, or before seven o'clock in the morning. While Vermont has little manufacture and less commerce, with no mines, glass works, or tobacco, her textile industries, scattered in many cases in small and remote communities have found uses for many young workers; and many immigrant children have, in recent times, suffered the bitter experience of isolation with its accompanying defective enforcement of the compulsory education law, and the absence of a protecting factory inspector.

The State of Rhode Island has enacted, during 1905, a statute which permits the continued employment, for the remainder of the present year, of all those children to whom certificates have hitherto been granted, even though these children may now be only twelve years of age. Before January 1, 1907, all other children employed in manufacture must have certificates showing that they are thirteen years of age; and after January 1st, 1907, they will be required to prove that they are fourteen years of age. Work is prohibited after eight o'clock at night and before six o'clock in the morning for those under sixteen years, but no maximum number of hours is stipulated, unless it may turn out that a section of a law of 1899 remains in force, which restricted the hours of women and minors to ten in one day and fifty-eight in one week. In any case, the new law permits children to work without restriction in stores on Saturday evenings and during the four days immediately preceding Christmas in each year.

There is no requirement that children must be able to read and write in English or in any other language.

It is difficult to see how the law could have been amended to do less in the way of protecting children from premature work.

All those who are already at work under the age of fourteen years will be permitted to remain in the mills until they reach that age before the new law becomes operative.

The states which have taken no steps in the direction of more rigid child labor legislation or more effective compulsory attendance laws, since 1900, are Connecticut, Maine and New Hampshire. The children of these three states are happy in the absence of mines, glass works and highly developed retail commerce. But in all three states, the textile mills have called for young children, and the struggle for effective compulsory school attendance has been a long and varying successful one.

Connecticut feels apparently no urgent need of improvement in its old established laws. Its industries are chiefly of a character which enable men to support their families, and do not call for the work of children. The compulsory education laws are enforced by state officers who have performed their duties through a series of years with credit to the state and benefit to the children.

Favorable industrial conditions and laws, old established, wisely conceived and persistently enforced, have combined to place Connecticut first among the New England and Middle States when graded according to the ability of the children between ten and fourteen years of age to read and write. Only Nebraska, Iowa, Oregon, Ohio, Kansas and Indiana have a larger per cent. of children of these ages able to read and write than has Connecticut.

Although Maine shares with New Hampshire, Connecticut and Vermont, the characteristic absence of mines, glass works and highly developed retail trade (of the kind which absorbs child labor on a large scale) and is free, like them, from the sweating system, it seems to need farther legislation for the protection of its children. Maine fell in the scale of the states, from the eighteenth place in 1890 to the twenty-eighth place in 1900, when measured by the per cent. of children between the ages of ten and fourteen years who were able to read and write. Its actual number of illiterate children of these ages was 1,255 in 1900.

In the vacations of the public schools, children may work at the age of twelve years, ten hours a day and sixty hours a week. There is a factory inspector with deputies; and for violation of the provision that children must attend school to the age of fifteen years, school committees or superintendents are required to report

offenders to the county attorney, whose duty it is to prosecute therefor, the fine being not more than fifty dollars nor less than twenty-five dollars. Both parents and employers are punishable.

New Hampshire, also, fell in the scale of the states when graded according to the per cent. of the children between ten and fourteen years of age able to read and write, from the twenty-second position in 1890, to the twenty-fourth position in 1900. The actual number of illiterate children of these ages was 557. New Hampshire permits children to work in factories at the age of twelve years during the vacations of the public schools, requiring attendance at school throughout the full school year to the age of fourteen years for all children, and to the age of sixteen years for those who are illiterate. There is no state factory inspector.

This brief statement of some salient features of the laws in the ten states under discussion indicates the wide and far-reaching inequalities of protection for children along the northern Atlantic seaboard. Indeed, this inequality is the most conspicuous feature of the present situation.

The effectiveness of the enforcement varies as widely. As soon as a law is placed upon the statute book, some people obey it because it is the law, irrespective of inspectors and penalties. Other employers obey such a statute by reason of the pressure of the great insurance companies. In case of accidents which give rise to suits for damages, the position of the employer is distinctly unfavorable if it can be shown that he has failed to comply with all the requirements of the child labor laws. These two influences are very commonly overlooked in the discussion of the value of child labor legislation, with or without the appointment of officers for purposes of enforcement. Yet these are the only influences which operate throughout the ten states here under consideration uniformly to promote obedience to the law and protection for the children.

## CHILD LABOR LEGISLATION IN THE SOUTH

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The great manufacturing industry of the South is the spinning and weaving of her principal staple, cotton, and the history of child labor legislation in this section is practically contemporaneous with the first serious entrance of the South as a factor to be reckoned with in the textile trade of the world.

A few farseeing men, particularly in New England, had for many years discerned the great advantages offered by this section, the natural home of the cotton plant, and preparing against the inevitable transfer of the industry to the neighborhood of the cotton fields, had begun to divide their capital between the old mills of the East and the countryside mills springing up in the Carolinas and Georgia; but it is only within the last decade that these conditions have attained general recognition.

The laws against child labor are among the earliest expressions of the awakening of the civic consciousness of the people of the South to the responsibilities of the new industrial era, which has come upon them with the suddenness of a noonday without a morning.

Up to the present time the textile industry of this section has been largely centralized in the two Carolinas, Georgia and Alabama, and it is in these states that the problems of child labor have been most clearly recognized, and here the battle for the industrial freedom of the child of the South must be fought and won.

Of the 24,170 children under sixteen years of age employed in the factories of the South in 1900, 22,145 (91 per cent.) are found in these four states alone.

The present laws against labor in the Carolinas and Alabama were enacted in 1903, as the outcome of a long continued agitation of the subject, largely inspired by one of the members of the Board of Trustees of the National Committee, who has stated the case



against child labor with a clearness and cogency unsurpassed in the history of such legislation.

As early as 1887 some wise statesman of Alabama, anticipating the dawn of the new era of industrial progress in his state, secured the enactment of a law which was in many respects the high water mark of legislation on the subject in this group of states. This law limited the hours of work for women and children to eight in the twenty-four, and the age at which children might be employed in the factories at fourteen years.

Through the influence of the Dwight Mills, at Chicopee, Mass., since transferred to Alabama City, Ala., and controlled entirely by Northern capital, this law was repealed in 1895, and the combined forces of public opinion, represented by the press, the pulpit and the civic organizations of the state have never been able to restore it to the statute books.

#### PRESENT STATUS OF CHILD LABOR LEGISLATION IN THE SOUTH.

For the data contained in the accompanying syllabus of child labor laws in the South I am indebted largely to the Hand Book for 1905, issued by the National Consumers' League. So far as possible the data have been verified by reference at first hand to the original statutes, and it is hoped that the compact form of presentation may assist the student in obtaining a somewhat clearer insight into the present status of legislation on this subject.

*Alabama.*—(1) Age limit for work in mines is fourteen; for work in factories twelve, with exception of children of widowed mothers, or dependent fathers, or orphans without means of support. No child under ten can be employed under any circumstances.

(2) Proof of age: Affidavit of parent or guardian filed in the office of employer, giving age and date of birth. Furnishing false certificate is punished as a misdemeanor. Penalty for employing child under age, fine of not more than \$200.

(3) Hours of labor: For children between thirteen and sixteen, not over sixty-six hours per week, day work; not over forty-eight hours per week, night work.

(4) There is no educational test required. No compulsory attendance in school.

(5) No provision for inspection or enforcement of the law through any officials.

*Arkansas.*—(1) Age limit for work in mines, fourteen; for work in factories, twelve; if illiterate, fourteen. Same exceptions made as in Alabama.

(2) Proof of age: Same as in Alabama; for children under fourteen, in addition, certificate of school attendance.

(3) Hours of labor: Night work prohibited for children under fourteen; sixty hours a week's work for minors under fourteen.

(4) Educational test: School attendance compulsory under fourteen for twelve weeks in the year, six weeks to be consecutive. Certificate of school attendance only required for children under fourteen.

(5) No provision for inspection or enforcement.

*Florida.*—In Florida the youngest children may be employed, provided only that in the case of children under fifteen such employment shall not extend for over sixty days without the consent of the legal guardian.

There is no limitation upon the number of hours of labor, and no proof as to age of the child is required.

*Georgia.*—In Georgia, employment dangerous to health or morals is more or less completely prohibited, but otherwise there is no restriction whatever placed upon child labor.

*Kentucky.*—(1) Age limit: Work in mines prohibited for children under fourteen; work in factory prohibited for children under fourteen, with certain exemptions, which may be obtained from a county judge.

(2) Proof of age is required for children under fourteen, certificate of age to be sworn to by parent or guardian, unless employer shall know the age of the child.

(3) No restriction upon hours of labor or night work.

(4) Educational test: No educational test is required for a child to work in a factory, but attendance at school for at least five months a year compulsory for children under fourteen.

(5) A labor inspector and one assistant, at a salary of \$1,200 and \$1,000 respectively and expenses, are provided, but investigation as to violation of the law is left to the grand jury, which is given inquisitorial power, and receives a special charge from judges of the Circuit Courts to make such investigations.

*Louisiana.*—(1) Labor in factories is prohibited for girls under fourteen and boys under twelve years.

(2) Proof of age: Certificate of school attendance during at least four months of year preceding employment required for children under fourteen. This certificate to be signed by the director of the school district or principal of a public or private school.

(3) Hours of labor: There is no restriction upon night work, but the work of women and minors under eighteen is restricted to sixty hours per week.

(4) Educational test: There are no laws making attendance on school compulsory, but for children under fourteen a certificate of school attendance for at least four months of year preceding employment, signed by the director of the school district or principal of some public or private school, is required.

(5) The superintendent or chief police officer in cities, or a town's members of police force detailed by the mayor are charged with enforcement of the law.

*Maryland.*—(1) Work in factory limited to fourteen, except in the canning industry and where there is a widowed mother, or invalid father. No age limit in twenty counties.

(2) Proof of age: For child under sixteen a certificate is required stating that the child is over twelve years, signed by principal or head teacher in school last attended, and a like certificate from parent or guardian.

(3) Hours of labor: Night work permitted; for children under sixteen work is restricted to ten hours in the twenty-four.

(4) Educational test: Child under sixteen must be able to read and write, and must attend school before or during employment.

(5) Enforcement: Attendance officers appointed by school commissioners are charged with enforcement of the law.

*Mississippi.*—No age limit in Mississippi except that minors may not be employed for more than sixty days without the consent of the parent or guardian.

*North Carolina.*—(1) Age limit in factories, twelve.

(2) Proof of age: Written statement of the parent or guardian required.

(3) Hours: Night work not prohibited; work for minors under eighteen restricted to sixty-six hours in one week.

(4) Educational test: No requirement of compulsory attendance on school, and no educational test.

(5) There is a Commissioner of Labor and Printing provided

for under another statute, but he has no authority for the inspection of the factories or enforcement of the law.

*South Carolina.*—(1) Age limit: (1903) ten years, (1904) eleven, (May, 1905) twelve. In factories, mines or other manufacturing establishment exception is made for child with widowed mother or totally disabled father, and for dependent children—these may work in the factory without an age limit for the purpose of earning a support—sworn affidavit to this effect required of the widowed mother, totally disabled guardian, or in case of dependent child, of legal guardian. The officer before whom affidavit is made to endorse on back of certificate his consent that the child may be so employed.

(2) Proof of age: Affidavit of parent or guardian stating the age of child.

(3) Hours of labor: Night work prohibited children under twelve, and from 8 p. m. to 6 a. m. Time may be made up which has been lost through temporary shut-down due to accident or breakdown in machinery. Under no circumstances shall a child under twelve work beyond 9 p. m.

(4) Educational test: Children may be employed at any age in vacation if they present certificates showing school attendance for four months during the year and ability to read and write.

(5) No provision for enforcement.

*Tennessee.*—(1) Age limit in factories and mines, fourteen.

(2) Proof of age: Required of children under fourteen, to be sworn to by parent or guardian, unless age of child is known to the employer.

(3) Hours of labor: No restriction.

(4) No educational test or compulsory attendance.

(5) Grand jury given inquisitorial powers, and judges of Circuit Courts required to give special charge.

*Texas.*—(1) Age limit: Factories, if illiterate, fourteen; if able to read and write, twelve. In mines, breweries and distilleries, sixteen.

(2) No proof of age required.

(3) Hours of labor: Work at night prohibited for children under fourteen between 6 p. m. and 6 a. m.

(4) Educational test: Child under sixteen must be able to read and write before being employed. Exemptions may be given for

children between twelve and fourteen who are "necessarily employed."

(5) No provision for enforcement.

*Virginia.*—(1) Age limit: In factories, twelve.

(2) No provision for proof of age.

(3) Hours of labor: No prohibition of night work. Work restricted to ten in the twenty-four for children under fourteen.

(4) No educational test.

(5) No provision for enforcement.

#### REVIEW OF LEGISLATION.

A review of the legislation shows that Georgia alone among the manufacturing states of the South has no legal limit for the age at which a child may be employed, and it is an interesting, if not significant fact, that in this state, with perhaps one exception, there is a larger proportion of foreign capital invested in the manufacture of cotton goods than in any other of the textile states of the South.

In contrast with Georgia, Louisiana holds a place of high distinction among her sister states in limiting the age for girls at fourteen, in limiting the hours of work for women and minors to sixty per week, and in providing for enforcement of the law and requiring a certificate of school attendance to be signed by the proper school authorities. A glance at the laws of the other states of the group shows at once that this is the nearest to anything like an adequate and effective statute adopted by any state in the group. As, however, the textile industry in Louisiana is largely undeveloped, there being only two factories in the entire State in 1900, the law is of benefit only in preventing the establishment of conditions adverse to the children in the future.

The age limitation in Florida at fifteen and in Mississippi at twenty-one for boys and eighteen for girls is, of course, no legal bar to the employment of such children, as the law is qualified by the provision that such employment must not be for more than sixty days "without the consent of the legal guardian."

When we recall the fact that there were in 1900 only 466 children under sixteen years of age employed in the few small mills in Mississippi, and that there is not a cotton factory in the state of Florida, the absence of legislation on the subject in these states is seen to be barren of the significance it has in Georgia.



The lowest age limit for the group is eleven years, in South Carolina, which, however, on May 1, 1905, will be raised to twelve years.

The highest limit is in Texas, where children under sixteen may not be employed in mines, breweries or distilleries.

In this state, where on account of the vast possibilities of the immediate future, owing to the fact that it ranks first in production and ginning of cotton, effective legislation is most to be desired, there are evidences of a healthy and intelligent interest in securing legislation protecting the child, in the relatively high age limit for factory work, fourteen; in the prohibition of night work for children under fourteen, and the provision that children under sixteen must be able to read and write.

Here, however, as in the laws on the statute books of every state of the group, may be found the marks of the hand of those interested in fastening child labor upon the South, and the law is radically defective in failing to provide for special officers for inspection of the factories and the enforcement of the statute.

In Kentucky, Louisiana and Tennessee only is there any special provision for the enforcement of the laws prohibiting child labor, and in these states the inquisitorial powers given the grand juries furnish a means of enforcement notoriously inadequate.

The proposed legislation defeated in the Committee on Manufactures in the Legislature of North Carolina two weeks ago provided that "No girl under fourteen years should work in a manufacturing establishment. It provided further that no child under fourteen who could not read and write should be hired out to a mill; that the certificate of age and literacy should be issued by a disinterested party, the school principal, instead of a mere statement to the employer by the very interested party, the parent; that there should be no night work in the factory for children under fourteen, and that there should be systematic factory inspection by the Labor Commissioner."

It was demonstrated in the hearing of this bill before the Legislative Committee that the storm centre of the battle for the industrial freedom of the children of the South is not so much in any detail of proposed legislation, as in efforts to make the laws more effective.

So far no textile state in the South has been able to secure legal

provision for any official clothed with authority to inspect the factories and enforce the law, and until this is secured all legislation on the subject must be practically inoperative.

In Alabama, for instance, no citizen and no official of the state or county has the right to demand the inspection of the certificates of age provided for by law or to go behind the barred gates of the factory to ascertain how many children are held under the forms of child slavery forbidden by the statutes of the Commonwealth.

No educational test is required in Alabama, Kentucky, Louisiana, the Carolinas, Tennessee or Virginia.

In Texas a test of literacy is provided for children under sixteen, and in Louisiana a certificate of attendance for at least four months of the year, signed by the director of the school district or the principal of a private or public school.

In Arkansas and Kentucky alone is provision made for compulsory school attendance, but in the first-named state the school period is only three months, and attendance is required for only six weeks consecutively. Thus in Arkansas a child may be kept in a factory for the year with the exception of two vacations of six weeks each, which must be spent in the school room.

Night work is prohibited in Alabama for children under thirteen, in Arkansas for children under fourteen, in South Carolina (with certain exceptions) for children under twelve, and in Texas for children under fourteen.

It will be noted by the student familiar with the history of child labor legislation that with the exception of Louisiana and Arkansas the statutes in the South are practically a dead letter in another most important particular, namely, the requirements concerning the proof of the age of the child. In those states which require proof of age and even where such proof is to be publicly posted, the affidavits as to age are made out by the parent or legal guardian, the very parties against whose shiftlessness and heartlessness society has found it everywhere necessary to legislate for the protection of the children.

In Tennessee and Kentucky this defect is remedied (sic) by a proviso that such certificate shall not be required where the age of the child is known to the employer! It is against such alliance of greed and thriftlessness that we seek to deliver the children of the land.

## AN ILLUSTRATION.

In company with several strangers, curious to see the wonders of the manufacture of cotton, I recently had the opportunity of passing behind the carefully guarded portals of two factories in Alabama, where my interest in the protection of the children was unknown.

In spite of the practical immunity of the mill men from danger of prosecution due to the inefficiency of the law, it was interesting to note the care with which the children had been taught to answer any inquiries that might be made concerning their ages.

Out of at least a score of children, evidently under the legal age limit, twelve, in a mill employing some three hundred operatives, only one child was found who was not "over twelve." This child confided to a little girl who was in my party the information that she was ten years old, and she looked younger still. I asked a little boy, who could not have been over nine or ten years old, how old he was. He replied with a wink and a roguish laugh that he was "most fourteen," and then ran off to tell the other children that the stranger wanted to know his age.

In another mill employing some two hundred hands the proportion of children under legal age was even larger, and there was a larger percentage of girls, but not a child was found who was not "over twelve." The conclusion was irresistible either that all these children had been taught to lie concerning their ages or that here was a most striking illustration of the effect of child labor in stunting physical development.

These two mills may fairly be taken as typical of the average suburban cotton factory in the South. In the rear of one of the factories the houses of the operatives were built around three sides of an open square or plaza, some two hundred and fifty feet wide, with a beautiful woodland crowning the bluff of the river in the rear and great open fields on either side. The houses are fairly comfortable, and neat in appearance, though needing paint. Here no one need dread the much advertised peril of the streets and slums for the children out of the mill. The children playing in this open square and on these streets would be under the restrictions of the mill authorities and could have no other companions than those very children with whom they are constantly thrown in the mill.

Two conclusions must be reached by the careful observer of such conditions: (1) That the surroundings of these families are better than those of the same class of people in the rural districts, and (2) that the condition of the children now found at work eleven hours a day, many of them under the legal age limit, would be vastly improved, and the chances of their becoming effective in the civic life of the state increased a thousand fold, if they might spend their childhood in the fresh air of the playground of the open square, instead of imprisoned in the unhealthy atmosphere of the factory.

#### DIFFICULTIES IN THE WAY OF SECURING EFFECTIVE LEGISLATION.

In spite of the fact that the laws prohibiting child labor in this group of states fail to meet many of the requirements of adequate legislation upon the subject, the effort to secure their enactment has in every instance met with tremendous opposition on the part of the mill men.

In Alabama the opponents of legislation again and again succeeded in stifling in committee the bills aimed at improving the condition of the children in the factories, and it required the united efforts of the press, the ministers' unions of the leading cities, the women's clubs and other civic organizations to arouse public opinion to such an extent as to make its voice heard in the walls of the capitol.

##### *(1) Apathy of the General Public.*

An outline of the difficulties encountered in this state, it is believed, will present with some fullness the difficulties that have attended the attempt to secure effective legislation in the other Southern States.

Every attempt to secure social betterment finds a common obstacle in the apathy and indifference of the public mind toward its program of reform. In the South, however, this general difficulty has been accentuated by the unfamiliarity of the people with the new industrial conditions, the rural character of the population, the slow development of the civic consciousness, and the fact that the conditions sought to be remedied are of such comparatively recent growth

that the most striking evils of child labor have not had time to develop themselves so as to attract the attention of the community at large. It is always a more difficult matter to create a healthy public sentiment for the enactment of a law that provides against a future peril than it is to arouse a storm of indignant protest against an evil that has become flagrant and notorious and constantly flaunts itself in the face of every citizen. There are hundreds of thousands of our people who have never seen a cotton mill, and many hundred thousand more who have never been inside a factory gate.

Another serious difficulty in arousing public opinion is the fact that many of the mills are managed by men of a humane and just spirit, and actuated by high convictions of duty. Mills controlled by such men have been brought to the front in every public discussion of the evils of child labor, so that in view of the conditions shown to exist in these mills many of the best citizens have concluded that the picture of the evils of child labor has been largely overdrawn, forgetting that the law is never made for the righteous, but the law-breaker.

Terrible as are the evils of child labor, and for one I would not minimize them for one moment, or turn a deaf ear to the cry of one of God's oppressed little ones, the textile industry at the South is yet in its infancy, and the true peril of the situation is in the danger that the evil should so root itself in this new industry as to prevent for many years the enactment of efficient laws on the subject, or that the factories should have been so built up on the shoulders of the children that their removal would prove disastrous to the industry itself.

Taking the statistics of the last census, there were at work in the mills of the South in 1900 only 24,170 children under sixteen years of age—a number smaller than in the factories of the single state of Pennsylvania, yet during the decade ending in 1900 while the number of children at work in other sections of the country under sixteen years of age decreased about 50 per cent., in the Southern states the number of such children increased to an alarming extent.

In Georgia during the decade 1890-1900 the number of children under sixteen at work in the mills increased from 2,400 to 4,500; in Alabama from 501 to 2,438 (386 per cent.); in South Carolina from 2,153 to 8,110; in North Carolina from 2,071 to 7,129. The report of the Commissioner of Labor for this last-named state indicates



that in the last four years this number has been increased to something like 15,000.

The above statistics must be qualified by the statement that the number of factories built in these states in the period under consideration has increased in about the same proportion as the increase in the number of children employed. This, however, is the real peril of our situation, the enormous growth of the factories in the rural districts, demanding every year more and more of the children of the land.

The statistics given, it should be noted, are for children "under sixteen," and, as the legal age limit in textile states is twelve, they do not show the number of children employed contrary to law.

The efficacy of laws in these states must also not be estimated merely by certain technical requirements for an effective law. Public opinion in the South is somewhat slow to respond, but when once awakened is resistless in its power, and there has been in many parts of the Carolinas and Alabama a response to this awakened power more far-reaching in its effects upon the children than have been the technically far more stringent statutes in such states, for example, as Pennsylvania.

In Alabama and North Carolina the laws against child labor were adopted as the result of an agreement entered into by the mill men with the friends of the measure, and was based upon their solemn pledge that they would faithfully comply with the letter of the law. That in many instances they have failed to do so is undoubtedly true, but that the statutes have resulted in the freeing of many children from the imprisonment of the factory and protecting many others is borne out by many proofs.

In North Carolina the mill men have pleaded successfully their compliance with the law as a bar to more effective legislation. Such a plea does not meet the needs of the situation, but that it could be made and partially sustained is proof that the law is more effective than would be indicated by a mere reading of its provisions.

### *(2) Prejudice in the South Against Organized Labor.*

One of the inducements offered to investors of capital in the southern mills is the practical immunity of these mills from interference by labor agitations by the labor unions, which in some sec-

tions have proved disastrous to the industry. So far the cotton factories of the South have been largely unhampered by strikes.

In some instances I think it is possible that opposition to efforts looking to a permanent betterment of the condition of the operatives has been due to recognition of the well-known relation between the elevation of a laboring class financially and intellectually, and the introduction of the forces of organized labor.

In Alabama the apprehension of the mill men that the child labor law was but the entering wedge of unionism was used as an argument to convince them of the importance of agreeing to the proposed legislation and of faithfully complying with the law. It was pointed out that nothing could so strengthen the cause of organized labor in the South as its alliance with the cause of innocent, helpless and wronged childhood against the oppression of the capitalist.

*(3) Antipathy to Paternalism.*

In a section where local self-government has been most jealously guarded for generations at the cost of blood and treasure it is to be expected that there should obtain also a high theory of the rights of the individual. It cannot surprise the student therefore to find this individualism running to an extreme in the denial of the right of the state to interfere between employer and employee in the interests of the commonwealth and the child.

The most stubborn opposition to child labor legislation has been met in this traditional antipathy of the South to everything that savors of paternalism, and the significance of the legislation so far secured is undoubtedly to be found not so much in the scope and efficiency of the laws themselves, as in the establishment of the principle that the rights of the state in and over the child are paramount even to the rights of the parent where the welfare of the child is at stake. To those who appreciate the true condition of affairs in the South this has been an enormous gain that can scarcely be overestimated.

*(4) Inability of the South to Provide for Compulsory Education.*

It has been universally recognized by those who realize the difficulties inherent in laws that attempt to protect the child by cer-

tificates concerning age, that one of the best methods of securing the object aimed at in the legislation is a compulsory educational law.

When it is recalled that of the 579,947 children in the United States between the ages of ten and fourteen who cannot read and write, 479,000 of the number are in the Southern states, and 232,127 (40 per cent.) in the four textile states—Georgia, Alabama and the two Carolinas—it will be at once seen that here is the largest opportunity afforded anywhere in the country for the elevation of the standard of life by education, as well as the greatest temptation to capital to impose upon the child, in addition to the burden of illiteracy, an enfeebled and dwarfed body.

The South has been fearfully handicapped in her efforts to meet the problems created by the illiteracy of her people. "A double system of public education has been with all its burdens and with its varied difficulties, the inevitable and unchanging issue of our problem of population. With the gravest problems of our civilization challenging her existence and her peace, the South has been expected to assume the task of the education of two populations out of the poverty of one."

Her response to the exigencies of such a condition has been one of the heroic features of the history of her people during the past quarter of a century in her efforts to overtake the educational destitution of her rural population—efforts that must be neutralized if the rapidly increasing factories are to be allowed through the greed of capital and the shiftlessness of parents, to shut out from the school room, within the walls of the mills, thousands of the neediest and most promising of her children.

With the greatest educational problem of modern civilization thrust upon her, it has not been possible for the South to provide for the compulsory education of all her children, and the opponents of child labor laws have ever been quick to seize upon this fact, hiding their hostility to the legislation by a loud protestation of zeal for the cause of education.

It was somewhat of a revelation in Alabama two years ago to find that the very people who were opposing a child labor law, "unless a provision making the education of the children compulsory was attached," were at the same time viciously fighting all efforts to provide for local taxation for school purposes—a measure which

offered the only hope for such an increase of the public school funds as to make compulsory education feasible.

*(5) The Commercial Rivalry of States and Sections.*

Every effort to secure legislation protecting the child has been met by the persistent and bitter commercial rivalry between the different states engaged in the manufacture of cotton goods.

It has been repeatedly charged that the efforts to secure child labor legislation in the South have been inspired by the jealousy on the part of the New England mills of the growing prosperity of the South. To which it may well be answered, "Why, herein is a marvelous thing, that influences alleged to be trying to injure the southern manufacturing industry by securing effective child labor laws, should at the same time be at work in New England in making the laws in these States more effective still."

It is a fact of history that the protection of the children is one of the most potent of the economic factors in the industrial development of a people, and if the jealousy of New England should result in the protection of all the children of the South nothing could prove a greater boon to every interest of her people.

The mill men in New England are urging that the age limit in those states should not be raised, because they then could not compete with Georgia, which has no law against child labor. The mill men in Georgia claim that the attempt to secure legislation in those states is due to the influence of the New England mills, while in the two Carolinas and Alabama the proximity of Georgia, with no regulation of child labor, is pleaded as a reason why existing statutes should not be enforced.

After all has been said, it must at last be recognized that the inducements the South has to offer to the capitalist desiring to invest in mill property is her splendid water power, salubrious climate, proximity to the cotton fields, cheapness of fuel, and freedom from labor troubles, and not the sacrifice of her children upon the altar of greed.

PRACTICAL SUGGESTIONS.

I have tried thus to give a frank and accurate interpretation of the present status of this legislation in the Southern States, and to present as candidly as possible the situation as it exists, but I would sound no note of pessimism. Whereas in older manufactur-

ing communities legislation for the protection of child life has been a matter of slow growth and marked by the many mistakes and failures of social experiments, in the South the cotton manufacturing industry has almost with its birth brought our people to a consciousness of their obligation to the coming generation.

In the bills presented in more recent legislatures the accumulated wisdom of the century has been drawn upon, and though, as in North Carolina, such measures may for a time fail of enactment into law, through the influence of the professional lobbyist, the interested capitalist and the indifferentism of the people, no one familiar with the history of the modern industrial world can doubt that the pressure of the moral judgment of civilization must at last make itself felt with resistless force.

Though the enactment of the most effective legislation comes somewhat more tardily than we could desire, it is a matter of sincere congratulation that this legislation has reached a more advanced stage of development at this period of the industrial life of the South, and that the southern people are passing on to the period of effective legislation with less of blood-guiltiness than any other section of country in the industrial life of modern times.

In conclusion I venture to suggest:

(1) That for states with such manifestly similar economic conditions as obtain in the Carolinas, Georgia and Alabama there should be a continuance of the effort to secure so far as possible uniformity in the laws protecting the children.

(2) That in view of the number of humane and just men interested in the manufacture of cotton in the South constant effort should be put forth to win the support and sympathy of these men for a movement in line with the noblest endeavors of their lives. To this end legislation proposed should be wise and conservative, characterized by a full recognition of the stage of the industrial development of the section, and so far as consistent with the protection of the children, containing such provisions as will give the factories abundant time to adapt themselves to the improved conditions.

Overdrawn pictures of conditions that are abnormal are just as imperfect a presentation of the case against child labor as is the exhibition of the prize mill with its schools, kindergartens and libraries an illustration of the average mill. After all has been said the facts of the situation, and the facts alone, can secure an intelligent



and sustained public interest without which no law can be made effective.

The people of the South are not unlike the people in other sections, and iniquitous conditions cannot long maintain themselves in the presence of a well-informed public opinion.

(3) Laws protecting the girls under fourteen years of age are most needed just now, and most likely to secure favorable consideration at the hands of the representatives of the people.

(4) Wherever practicable, proof of age should be required to be supplemented by a standard of physical efficiency, and in all cases there should be required for children under twelve years of age, a certificate showing that they can read and write, signed not by the parent or guardian alone but by the principal or teacher in some public school residing in the county where the factory is located. These certificates should be required to be filed in a public place where access may be obtained to them by all interested parties, and failure so to file them made a misdemeanor.

(5) An inspector for factories, mills and mines should be provided in every state, and this officer appointed by the Governor and empowered to enter any factory or manufacturing plant or mine, required to render bi-annually a public report to the Governor, and to report to the county solicitor and grand jury every violation of the law.

## CHILD LABOR LEGISLATION AND METHODS OF ENFORCEMENT IN THE WESTERN STATES

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BY HON. BEN B. LINDSEY,  
Judge of Juvenile Court, Denver, Colo.

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The child labor evil has never afflicted the West as it has the East and the South. Of course I speak rather of the great mountain states. It would not do, however, to console ourselves with the assumption that the grandeur of our mountains has so completely imbued the hearts of our people with high ideals that we are free from that taint in commercialism which so often advances "business interests" at the expense of sacred childhood. In those cases where these selfish interests might be advanced by drafts upon the strength and life of little children we have found human greed very much the same as it is in the East and South. The mines and the smelters call almost entirely for the strength of men rather than that of children. The labor unions as much as laws have kept our children from industrial slavery. The opportunities of the cotton mill and the ordinary factory in the great industrial centres of the East for enlisting the services of the child offer greater temptations than those of the smelter and the mine. If we may credit the frightful conditions in the coal mines of Pennsylvania as to child labor, I am sure we have no such sins as theirs to answer for. And while we do not pretend superiority above our brothers of the East and South in resisting encroachments upon the childhood of the nation, we may without any spirit of boasting feel proud of our laws for the protection of children. Both as to laws and the evils to be remedied by these laws the great West is far in advance of the South, compares favorably with the states of the East and Middle West, and Colorado claims the proud distinction of being twin sister to Illinois in acknowledging superiority to no state in advanced child labor laws as well as other laws for the protection of her children. We look upon

Kansas as the most benighted of the Western states, and as being most backward in keeping step in the march of progress, led by her western neighbor, the State of Colorado, but Kansas is waking up, and I promise you that if Kansas concedes to the women of that state the right of suffrage as it has existed among the women of the State of Colorado, it will be impossible for it to lag behind the procession.

Under the age of sixteen years no child may be employed in any mine or other dangerous occupation in the State of Colorado, and under the age of fourteen years no child may be employed in any mine in the States of Idaho, North Dakota, Oregon, Utah, Washington and Wyoming.

Again, the Western states have been blessed with liberal school funds, largely obtained by the reservation for that purpose of millions of their acres, which, with less knotty and difficult problems than our less fortunate sisters of the South, have made compulsory education in the West a simple problem to embody in effective laws rigidly enforced. The great West, therefore, in comparing its more fortunate condition with that of the South, may do so with satisfaction, but without exultation. On the contrary, our more fortunate social and industrial condition reminds us that the South especially is in need of our consideration and sympathy in its less fortunate state, and this, I wish to assure you, is our attitude of mind toward this section of our beloved country.

I might give an instance of our own experience in Denver within the last three or four years as showing that human selfishness is very much the same in every part of our country when "business interests" conflict with the children's interest. Some fifteen years ago, in the very shadow of the Rocky Mountains, there was built a great cotton mill. It was a rather peculiar thing in our industrial development that cotton mills should be built away out there, but New England people who initiated the enterprise could see the cotton fields of Texas a great deal closer to their back doors than were those of Georgia or South Carolina to the mills of Massachusetts. This was before the sudden and rapid change of the last few years when the cotton mills began to spring up in the fields of the Southern states. This transformation had not been taken into account. But when it came competition became fiercer, and the cotton mills of Colorado, to compete with those of South Carolina,

must forsooth move some of South Carolina's social conditions to the foot hills of Colorado. Agents were employed whose business it was to import into Colorado dozens of families from the poorer classes of Alabama and the Carolinas, and with them, of course, came the children; in fact, they were the inducement for this sort of emigration; the more children the surer the contract with the wily agent to live within sight of Pike's Peak and the snow-capped Rockies. And thus it came to pass a few years ago that you could journey by trolley car from Denver to the cotton mills in which, once enclosed, you might well imagine you had been transported two thousand miles into one of the Southern states. There were the boys and girls, ten, eleven and twelve years of age, working in violation of the laws of the state in order that "prosperity" might still flourish amidst these whirring spindles in the West. Those who protested were denounced, by those who believed in "prosperity," as mischief makers for the destruction of a great industry. Should a successful enterprise of ten years' standing be permitted to fail when all that was necessary was a duplication as far as possible of conditions which it was said accounted for its success in other sections? Of course, my friends, we accounted this as all "bluff." I think Miss Addams and Mrs. Florence Kelley have shown by the example of Illinois, especially in the glass industries, that this argument about child labor being necessary for the success of any industrial enterprise is without foundation. The reserve strength of the nation for to-morrow is with these children of to-day. No one living has more eloquently exemplified this truth than these two great champions of the children of this nation, and whatever the fact may have been when the men at the head of this institution said they could not compete with the South unless they could work under the conditions that obtained in the South, our people said that argument was a purely commercial one at best, and, to tell you frankly, we believed a fallacious one, since if those mills could not survive we were certain the real cause was not to be found in the sacrifice of the children, but in economic conditions for which surely the children were not responsible. In any event, we said: "You have no industrial enterprise of benefit to our people if it is to be at the sacrifice of the bodies and souls of little children, and the fact that those children are the children of South Carolina or Alabama does not alter the case—they are just as dear to us as the children of

X our own state, and Colorado will protect them if it means that Colorado must smash your mill;" and so we said: "You take those children out of the mills, and whether you shut down or continue to run is a matter of secondary importance." And they took the children out and the mills went to smash, and while most of us have serious doubts if it could be attributed to "the poor little kids," at the same time we were prepared to concede that and all it cost if it meant the redemption of little children from industrial slavery. We put the child above the dollar. They are our greatest wealth. Not all the gold and silver in the depths of our great mountains are half so valuable as these little ones, and that was the reason that the president of the mill, the foreman and the superintendent were prosecuted in the courts and suffered the extreme penalty of the law.

And yet, my friends, property rights are neither depreciated or disrespected by high regard for human rights. On the contrary, just in proportion as we strengthen and administer to the rights of body and soul do we pile up the real material wealth of the nation. It pays now, but it pays even more in the to-morrow. The highest duty of the state is to its children. Just so far as we protect them and make them the object of our solicitude, just so far are we going to increase the power, strength and wealth of the state. It is only the short-sighted and the selfish and those who live for to-day, thinking not of the to-morrow, who refuse to see or acknowledge this truth. The future of our country depends a great deal more upon the kind of children we are rearing to-day, how well their little bodies are shaped and their morals directed than upon how much business we have or how much gold is yielded.

The child labor laws in most of the Western states are generally well enforced. The enforcement of the law we all realize is just as important as the law itself, and in many states having a child labor law this question presents an even more serious difficulty than that of no law at all. In fact many states which have no law or an inadequate law may have more excuse to reproach those boasting of the law upon the statute books, but which give it the lie by non-enforcement.

In Colorado we have a compulsory education law keeping every child in school until his sixteenth year unless he has completed the eighth grade of the grammar school. Our schools are in session throughout the state from September to June. The child labor law



forbids employment in factories, mines, mills or occupation dangerous to health where the child is under fourteen years of age, and not over eight hours under sixteen years of age, or at all if the employment be dangerous to health. Between the ages of fourteen and sixteen, if the school law has been complied with, the child may be employed for over eight hours in an occupation that is not dangerous to health. This question must first be determined by the juvenile courts, which correspond to the county courts and exist in each county in the state. Proper application may be made to the court when the case is heard and permission granted upon conditions satisfactory to the court and in the interest of the child. This provision has tended to make the law, we think, more practical and satisfactory than it might be were no exceptions permitted. Especially is this true where the age limit is sixteen as with us. I would not recommend it if the age limit was either twelve or fourteen. All the children's laws of Colorado are enforced in one court. These laws comprise generally those relating to compulsory education, child labor, juvenile dependency, juvenile delinquency and the laws holding parents and others responsible for the dependency and delinquency of children. We believe that this method offers a system of effectiveness in law enforcement which could not otherwise be well obtained. The Woman's Club of Denver, always keen, alert, interested and active in behalf of the children of our city, under the leadership of our distinguished citizen and member of the National Child Labor Committee, Mrs. Sarah Platt Decker, instituted an elaborate investigation during the past year with reference to child labor in Denver especially, and reported it most satisfactory from every standpoint. Their report in full was sent to Miss Addams, of Hull House, and by her, I am told, pronounced most satisfactory. I think Miss Addams has pointed out on several occasions the fallacy and weakness of many of the old stock arguments we hear from some of our conservative business men in favor of child labor. With swelling pride they often tell us of their labor at the age of twelve and thirteen and pointing to their own example of success in life, they feel they have demolished the whole argument against even child slavery. The conditions under which they labored and lived are so different from those which the average city child is compelled to endure that we really find very few such cases of any value to the arguments for child labor. Their conditions were so

favorable they rather strengthen our plea for more industrial education. The success of an exceptional case under hard conditions has been, not because of such conditions, but in spite of them. I firmly believe in work even in childhood. By this, I mean the right kind of work. It is not so much a question of work as the amount of work, the kind of work and the conditions under which that work is performed. This need not lessen our belief in happiness in childhood. I want to say very candidly, that there are a great number of children in this country from fourteen years of age upward about whom I feel more alarmed at their failure to do or to know how to do any kind of useful work than of any possibility of their being overworked.

In our zeal for the protection of children subjected to extreme or unnatural conditions, we must not lose sight of the dangers and difficulties of idleness. There are thousands of boys in the cities of this country who, if not employed at some useful thing, are generally on the streets or in the alleys in the downtown public pool rooms and bowling alleys, engaged not always in wholesome play, but too often in idling, cigarette smoking and dirty story telling, with absolutely no thought of work or the serious side of life. They are too constantly occupied with thoughts of "having a good time," and some rather perverted notions of what a good time is. Too many of our boys especially reach the age of moral and legal responsibility without the slightest conception of work. They are too often more concerned as to how much they earn than how well they do their work. In dealing with a certain class of youth in the juvenile court, I say without hesitation that the most hopeless fellow in the world is the boy who will not work—the boy who has not learned how to work, or the value and importance of work. There is always hope for the boy who works, especially the boy who likes to work. I believe in the "strenuous life," and I think its importance should be taught our boys and girls at an early age. There are too many young people in this country looking for "the life of ignoble ease." I can say all of this to persons sincerely interested in the protection of the children from degradation or unnatural labor, and yet not be understood as depreciating the importance of wise child labor laws and their rigid enforcement for the protection of the children of the Union. But we must be careful in doing this, never to underestimate the importance of work,—the right kind of work, a certain

amount of work,—in the life of every child, and especially that teaching which inculcates good impressions in the life of every child as to the necessity and importance of labor. On the other hand, my experience is that most boys will work if given any kind of an encouraging opportunity. The lack of a chance is often responsible for idleness. Ninety-six per cent. of our boys and girls are forced out of the grammar school to fight the battles of life. They must have a chance to earn a living under such reasonably favorable conditions as not to destroy all chance of happiness or else they must become idlers and loafers. My own experience is that our common school education too often fails to equip them for earning more than the most scanty wages. An opportunity between the sixth and eighth grades in our city schools for children of the toiling masses to learn some kind of useful trade or valuable work with the hands—to learn to do what their fathers do—is a reform in our educational system which the champions of child labor must, in my opinion, espouse if they would round out a systematic and consistent plan of battle in this fight for the salvation of the children. I want to see the time come in this country when a boy of fourteen years of age up may be a valuable help to the plumber, the carpenter or the printer at a decent wage, instead of going to the messenger service and the street. I do not believe that juvenile labor should trespass upon the legitimate occupations of men and women, but we must equip these children for some kind of industrial efficiency and usefulness, or enlarge our reformatories and prisons for their care and maintenance. One of the saddest things in my experience as judge of the juvenile court has been the little fellows who have requested me to send them to the reform school in order that they might learn a trade. The principal of a school once said to me: "Judge, why don't you send that boy to the reform school so that he can learn a trade?" On behalf of the boy, I replied: "In God's name, why don't you people on the Board of Education give him an opportunity to learn a trade at home?" I ask you, is it fair, just or decent that in most of the cities of this country an American boy has no opportunity to learn a trade, to capacitate himself for joyous, useful work with his hands, unless he commits a crime? And yet, I am compelled to say to you, that such is the condition in this country.

I see wonderful changes just ahead of us in our educational system that are bound to come if we are to make progress. Our

good friend and honored secretary of the National Child Labor Committee, Dr. Samuel M. Lindsay, distinguished himself in his work as superintendent of education in the Island of Porto Rico. I note that one of the causes of his success, it seems to me, was an innovation in teaching those children of our island possessions to do what their fathers did, and thus under favorable conditions capacitating them to become useful and efficient citizens of to-morrow.

And in the great West, my friends, we are agitating and striving more and more, not only to save the children from the wrong kind of work at the wrong time and under wrong conditions, but at the same time to prepare them for the right kind of work at the right time and under right conditions that the citizens of to-morrow may work for and be worthy of the highest ideals of the republic.

## THE WORK OF THE GENERAL FEDERATION OF WOMEN'S CLUBS AGAINST CHILD LABOR

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MRS. A. O. GRANGER,

Chairman of Child Labor Committee, General Federation of Women's Clubs,  
Cartersville, Ga.

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The work of the General Federation of Women's Clubs for the prevention or lessening of child labor is of a many-sided character. Primarily it consists in arousing the members of the clubs to a consciousness that the industrial conditions surrounding the women and children who must toil for bread, are quite as much a part of our responsibility as if we were their employers. Purchasing and enjoying the fruits of their labor, we have only of late years realized that to us is partly due the suffering borne in producing the results. And this realization has been largely the result of the work of the National Consumers' League.

Not all women's clubs are for the study of sociological conditions; there are studies of many kinds, and clubs of many varieties, but whether the studies be of one kind or another all club women have hearts. When once those hearts have opened to the suffering of the children the motherhood inherent in woman responds to the call—she listens to the "Cry of the Children" who are wearing out their lives in unwholesome work—and listening and studying, the club women have learned many things!

The suggestions which have been made to the clubs by their "Child Labor" Committee are eminently practical and all leading up to the final attainment of freedom for the children to obtain their growth before engaging in work which dwarfs both body and mind if pursued at too early an age. In 1903 the following letter was sent to all federated clubs:

DEAR MADAM PRESIDENT: During the past year marked advance has been made in securing child labor legislation throughout the states of the Union. Women's clubs have been active in this movement which has con-



sisted both in enacting new laws and in amending old ones. The argument against this legislation which has been most universally encountered has been that the earnings of little children are needed to support widowed mothers. The Committee on Child Labor is convinced that the argument has been unfairly used, that the number of poor widows in any community is limited, and that among that limited number there are comparatively few whose oldest children are between the ages of ten and fourteen years,—the time when the temptation to use the premature labor of children is strongest. Nothing could be more valuable to the cause of child labor than to lay this ghost which has so long frightened many of the sincere friends of little children, and has furnished the basis of the emotional appeal so often used against sober argument.

Your committee therefore earnestly requests that the women's clubs throughout the country aid the cause of child labor by securing information as to the number of working children between the ages of ten and fourteen years, whose mothers are widows, who are in any wise dependent upon the earnings of their children, and also the number of those mothers, and the amount of wages of the child, so far as it may be ascertained. The committee would advise the City Federations of Women's Clubs to meet and partition the manufacturing districts of each city among the clubs, using as the basis of their investigation the records of the public and parochial schools, the factory inspector's office, and charitable societies. In the smaller towns and villages the problem will be much simpler; and if a number of communities are investigated the information thus secured will be most valuable.

The committee requests those clubs who wish to do more than investigate to take the following action:

Whenever possible to persuade the children thus employed to return to school, undertaking to pay the amount of the weekly wage which the child formerly earned to his widowed mother every Saturday night upon presentation of a certificate signed by the child's teacher testifying to his regular school attendance the entire five days of the previous week,—the money to be called a scholarship. This plan greatly resembles one in successful operation in Switzerland for twenty-five years, where it is carried on by the state authorities.

Such action will tend to interest the club women in the welfare of mill operatives, and should in time help to establish permanent home keeping among those who have so largely formed a floating element in the population, especially in the new mill towns of the South.

Signed by the committee.

JANE ADDAMS, *Chairman.*

At the Biennial, held in St. Louis, in May, 1904, the General Federation recommended to the State Federations and federated clubs that in all states in which children work at night and children work who cannot read and write in the English language, the effort

of the clubs should be concentrated upon the passage of laws covering these points, namely:

1. That children under the age of 16 years should not work between the hours of 7 p. m. and 7 a. m.; and,

2. That children should not work who cannot read and write in the English language.

3. In states in which these two points are already covered by effective laws, the adoption of the Standard Child Labor Law is recommended, including the Newsboys' Law.

The suggestions for this year's work will be in the same line—for it is "line upon line" in child labor as in all other work. Please notice carefully the points of these suggestions. Many of the "widowed" mothers are such in name, because the idle father has betaken himself to parts unknown in order to shirk the responsibility of his family! And have you visited the factory towns and seen the anxious mothers? No wonder that the baby workers look old before they are grown; their mothers, too, knew perhaps no care-free childhood—they worked before their growth was completed, and the children have the heritage of weakness.

Do you remember the old lines:

"Childhood should be all divine,  
Mother, dear,  
And like an endless summer shine—  
Therefore bid thy song be merry,  
Mother, dear!"

But there is no room for merriment, and childish glee, and mother-joy, when by the laziness of a father the little ones must go to the mill day after day, and then turn night into work-time and walk up and down by the machines until a dash of water into their faces tells them that they were going to sleep and the inspector had thus aroused them! Club women are learning many things. It is but a few weeks since a friend told me of seeing a father who showed no sign of weakness take six of his children to a mill for work—he himself claimed to be too feeble to do regular work—a "vampire father," as such men are now called, living upon the money earned by the sapping of the vital forces of his children!

In the state of Pennsylvania is the ground consecrated by the awful "Wyoming Valley Massacre," but what about the "Slaughter

of the Innocents" in the mills of that territory now? Has it been stopped since discovered a little over two years ago?

Unable immediately to control the forces which keep little children at work at the expense of their growth and development, club women are working in many ways to better the condition of the children, and by following their lead many mill owners are now able to boast of the advantages which they give to their operatives in the way of night schools and libraries. I wish that you could go with me to visit a night school. The older boys and girls are anxious to obtain the education which they could not get in their childhood; some of them look strong and well, thus proving that they had completed their growth in remote country districts before coming into the mills. But the majority look bleached and tired, and the smallest children make what is often a vain struggle against the utter fatigue which is the result of a long day's monotonous labor. See that little head lying upon the thin arms?—among the brown curls are little bunches of lint, and more still upon the clothing. Can any thoughtful person believe that there are not still finer fibres lying upon the delicate intricacy of the child's throat and lungs?

In the daytime the kindergarten established by the women take the tiniest little ones, and in the happy hours there the tots learn something of the ways of a well-conducted home—things which their mothers are unable to teach them either from lack of time, or strength, or knowledge.

In other places the club women have arranged schools at such hours that those who must carry baskets to the mill may do so without losing any of the precious instruction and influences of the school.

I would not leave the impression that club women regard mill-owners as the sworn foes of childhood. Many managers of mills declare that they would prefer not to use child labor, and where there are laws against it some managers are careful to obey them, but there are others who regard this awful abuse of the children as part of the business and who vehemently fight against any laws being entered upon the statute books, or better laws being substituted for poor ones. In Georgia, in order to take away this excuse for labor legislation, the cotton mill men have agreed among themselves not to employ children under 12 years of age. With

a conscientious manager this would greatly lessen the evil if there were no lazy fathers who will falsely swear to the age of a child in order to put it into the mill. But it was of that agreement that a club woman heard a tale: Two men on a railroad car were discussing child labor, not knowing that the two women in front of them were members of the Georgia Federation of Women's Clubs. The mill man held that the children would spend their time on the streets playing marbles if they were not at work; the other promptly rejoined that he'd rather have his children in the fresh air than in a lint-laden mill, and added: "But I don't see why you mill men should object to the bill when you've agreed not to employ little children." "Oh," said the other, with a shrug, "that was only for the legislature!"

But the General Federation is working in still other ways against child labor. The supply of children and mothers for mill work is in many cases—certainly in the South—drawn from the tenant class who here, as elsewhere, give evidence of all the weaknesses that come from economic dependence on others and who from their very ignorance are easily persuaded to change their place of living. Therefore, for these reasons among others, the club women are bringing to the rural schools, so often bald and poorly equipped, the industrial training which by its hand work is helping to develop perception, and open the minds of the children to the beauty and pleasure to be found around them. The gardening there taught, and the emulation aroused in the improvement of the homes are doubly important, viewed as a means of creating a love of one spot as home.

The cooking classes for mothers after school hours are often a centre of influence of untold value; there the teacher has the opportunity of becoming well acquainted with mothers who may some day be tempted to move to a mill town. Can we blame their desire to go to a place where they can earn money, and where "the children, too, can help," if they have never heard that such work will prevent the healthy growth of the children?

For such work as this the Massachusetts Federation has donated over one thousand dollars during the last three school years to help the Georgia Federation's work.

The women of the General Federation of Women's Clubs hope soon to see the day when from end to end of our land, whether

cotton, or silk, or glass, or fruit-canning be the prevailing industry, the fathers must be the ones who must earn the support for the family—when no children under 16 years shall work during the night hours, and when the presence of a boy or girl in a factory of any kind proves that he or she can read and write English, and has reached such a stage in development that the long hours will not dwarf him.

In every state where the evil of child labor exists, club women are using their influence as moulders of public opinion to make it impossible for such a state of affairs to be permanent. In North Carolina, where the legislature has just refused to improve the laws on this subject, a club woman writes that the improvement is only postponed—"It took twenty-five years for us to procure some other reform legislation, so we are not discouraged!" The Illinois Federation has issued a model statement of their present endeavor to prevent the change of the child labor laws and showing what excellent results are attending the working of the present ones, for which they ask a longer trial.

Emerson asserted that civilization was "The power of good women." If this be true, and who can doubt it, how great is the power developing from the seven hundred thousand women bound together for usefulness in the General Federation.

Women are the creators of public opinion, and those federated women are using their influence from sea to sea, and the lakes to the gulf. They are the leaven which requires but time and ardor to lighten the whole mass of working women and children and lift them by the power of growth to higher planes of work and knowledge.



## THE OPERATION OF THE NEW CHILD LABOR LAW IN NEW JERSEY<sup>1</sup>

By HUGH F. FOX,

President of the Children's Protective Alliance of New Jersey.

The law which converted the Department of Factory and Work Shop Inspection into the Department of Labor in New Jersey went into effect on September 1, 1904. The enactment of this law on March 24, 1904, was the culmination of a fight which had been going on in the state for three years, to regulate the employment of children and force the chief factory inspector to do his duty. The man at the head of the department of factory inspection was John W. Ward, who came from Salem County, and had made himself popular with the glass manufacturers by strict inattention to duty. During the early part of Governor Franklin Murphy's administration the labor organizations and philanthropic bodies, such as the Consumers' League and the State Charities Aid Association, made frequent charges of maladministration and neglect against the department of factory inspection. Early in 1902 an act was passed by the legislature empowering the Governor to appoint a woman as deputy factory inspector, in the hope that such an appointment might result in a disclosure of conditions which would force the hand of Inspector Ward and his administration. The Governor, however, took no immediate action, but on April 22, 1902, he sent for Ward and examined him, and publicly censured him for neglect. Inspector Ward pleaded the difficulty of enforcing the law, because of the sworn affidavits of the parents that their children were over the minimum age of twelve years. During this interview Governor Murphy made this significant remark: "You see I have a good deal

<sup>1</sup>This article is contributed through the Department of Philanthropy, Charities and Social Problems, Mrs. E. E. Williamson, Editor, and the notes of the department for this issue are omitted in order to give space to this more elaborate study of Child Labor Legislation of a single State.

to learn about this affair before I am very much older." At the same time the Governor announced that he would sign what was known as the Lord bill, which had just been passed, which provided for an additional deputy inspector, and compelled all of the employees of the department to give their entire working time to their duties. Prior to this time it had been customary for deputies to engage in other occupations, and simply put in their spare time visiting the factories.

Following the announcement referred to above, the Governor declared in an interview that he had no intention of personally visiting the glass districts to make an investigation. Apparently the statement allayed the fears of the inspector, and things went on as before. However, the Governor employed inspectors from outside the state to look into the situation and report to him, and during the following summer and fall much information was procured. It was rumored at this time that the Governor had asked for Ward's resignation, which was refused. Ward had been appointed as chief factory inspector by Governor Griggs in 1896, and re-appointed by Governor Voorhees in 1901, and it had always been supposed that he could be removed at any time by the Governor for cause.

But it seems that the chief factory inspector was appointed with the consent of the senate, and the attorney general held that an officer who was appointed subject to confirmation by the senate could only be removed after impeachment. In Governor Murphy's first annual message of January, 1903, he stated: "The inspector and his assistants are responsible to the legislature only. If the power of removal was lodged with the Governor, a more vigorous enforcement of the law could be expected at once. Children should be protected from the heartlessness of parents and the selfishness of employers. The present legal age for the employment of girls is fourteen, and of boys twelve years. I recommend that the legal age for the employment of boys be increased to fourteen. That is quite young enough, and is the age prescribed by Massachusetts, Connecticut, New York, and eight other states, eleven in all. Children cannot be expected to go to school after the practical work of life has begun, and their mental, moral and physical welfare all demand that the change recommended be made." In accordance with his recommendation an act was passed giving him the power to suspend the factory inspector indefinitely for any neglect or failure to per-

form his duties, or providing for the removal of the recreant official after having given him an opportunity to present evidence in his defense. Soon after the legislature adjourned the Governor practically suspended Inspector Ward, and put his own private secretary, John L. Swayze, in charge of the department. Mr. Swayze immediately took vigorous measures to reform the department, and conducted a thorough investigation as to the conditions which prevailed in the textile industry, the glass industry, and other trades in which children are employed. These investigations showed that the law was being violated in all sections. Mr. Swayze succeeded in forcing the discharge of a number of children who were employed in the silk mills of Passaic County, but found that the violations of the law were largely due to false affidavits made by the parents, and that the law itself was inadequate. In December, 1903, Mr. Swayze made a statement to the Governor, in which he reviewed the conditions of the textile district, which includes the cities of Paterson and Passaic. In the course of this statement he said:

"When the investigation was begun in May last the legal age at which children might work in factories was fourteen for girls and twelve years for boys. On September 1 a new law went into effect making fourteen years the minimum age for both boys and girls. The first few months of the investigation were spent in studying the conditions with a view to learning the true situation as a guide for future work. As complaints were made that the local deputies did not attempt to enforce the law, deputies were transferred from their own districts into other districts and given a list of factories to be inspected. Twice outside deputies were sent into the textile districts and no results were obtained. The number of violations reported by the deputies was so small as to force the conclusion that either there was no child labor in the textile district, or if there was, the local deputy, for some reason, could not find it.

"These investigations were all made before the first of September and practically no results had been obtained. To test the situation further, it was then decided to detail a special investigator who, without a consultation with the local deputy, was sent to Paterson and Passaic. He was instructed to make a thorough investigation of the conditions that prevailed in those cities as to child labor and the fire protection laws.

"He started his work in that district on October 6, and con-

tinued there for six weeks. He was very much crippled in obtaining information that he desired, as it was impossible to give him any legal authority to enter the mills, and the only way in which he could obtain information was through outside investigations. This made the work necessarily very much slower than if he had had the power to enter the mills and examine conditions from the inside. In the short time he spent in the textile districts he reported seventy-three cases of child labor violation in the mills, and not only reported that number, but obtained the street addresses, the names of the parents, the school attended and the age as given by the child and as shown on the school registers in most of the cases. These children ranged in ages, as shown by their own statements and the school registers, from eight to fourteen years, and comprised some of both sexes.

"Needing him in another part of the state, we were compelled to remove the special investigator before he had been able to run down all the cases he had on hand, and at the time he was removed from the district he reported that he had a list of two hundred children whom he had good reason to believe were under the legal age."

By this time Mr. Swayze had convinced himself that the factory inspection and child labor laws of the state were in some respects contradictory, and of doubtful constitutionality, and that in any event they were extremely faulty, and that the burden of proving the age of a child was placed upon the department. By the Governor's direction, Mr. Swayze prepared a bill for the complete re-organization of the department. In the preparation of this bill he sought the assistance of the philanthropic forces of the state and the labor leaders, and of all whose knowledge or experience could give him any assistance. At his request practically the entire literature of the subject was placed at his disposal, and copies of the child labor and factory inspection laws of other states were studied carefully by him in the determination to frame a measure that should be fair and adequate and thoroughly practical. In January, 1904, Mr. Ward concluded to resign the office which he had only nominally held during the previous six months, and Governor Murphy appointed Colonel Louis T. Bryant as chief factory inspector. The appointment was an ideal one in every respect.

On February 8, 1904, Mr. Swayze's bill was introduced in the senate by Senator Bachellor. The bill put the burden of the proof of age on the parent, and the burden of obtaining such proof upon

the employer. The age of a child was established by birth certificates, church records, or passports, according to the class and parentage of the child, and gave the department power to demand a certificate of physical fitness in the case of any child under sixteen. It provided for co-operation without conflict between the department and the boards of education charged with the enforcement of the compulsory school attendance law. It regulated sweat shops, and provided for a commissioner of labor, an assistant commissioner, and eleven inspectors, of whom two must be women; also for the appointment of additional inspectors for special work by the commissioner. The inspectors can be shifted about from one district to another, and the authority to employ extra deputies for special needs enables the commissioner to review the work of any of his deputies at any time. The penalties for violation of the law affect both the parents of the child and the employer, and it was provided that the employer shall keep a register of all children employed for the inspection of the factory inspector and truant officers.

In order to consolidate and crystallize the efforts of all those who had been waging the battle for the children, the Consumers' League called a conference of persons who were interested, from which was evolved the Children's Protective Alliance, which embraces in its membership practically every organization in the state whose purpose concerns the conditions of the children of the poor and their material welfare. This action united the social forces in the state in support of Mr. Swayze's bill. For some time it looked as though the effort might be in vain, as the chairman of the committee to which it had been sent was opposed to its passage. On March 29th a memorable hearing was held. The only serious objectors to the measure who had the courage to come out in the open were the glass blowers, and their opposition was mainly centered upon the section which prohibited night work by children under sixteen years of age. Under the spur of an overwhelming public opinion the committee reported the bill without amendment. On second reading, however, in the senate, an amendment was offered eliminating the provision which prohibited night work. The only vote which was cast in favor of prohibiting night work was that of Senator Bachellor, of Essex County, who introduced the bill. The act as amended was passed unanimously in both houses, and was signed by the Governor



on March 24th. The law did not go into effect, however, until September 1, 1904, and as the fiscal year ends October 31, the recent report of Commissioner Bryant only covers the experience of two months. The report indicates that much has been done by the commissioner to systematize the work of the department. He says that "among the rights under the law to be respected is that of a child which is over fourteen years of age to work, and unless this latitude was permitted a great many hardships would be entailed. On the other hand, a too great laxity in the issuing of special permits would greatly retard the proper enforcement of the law. The department insists before issuing such a permit that evidence be produced showing an effort has been made to obtain the proper records, and that a factory inspector see the child personally, and advise the department that it is in his judgment not only more than fourteen years of age, but also that it is in proper physical condition for employment in factories. It will be seen that a strict enforcement of the present law on affidavits will largely do away with the evil of children under fourteen years of age working under false affidavits, a common practice under the old law. Before the affidavit becomes operative proof of the child's age must have been produced, and the department at Trenton apprised of the conditions by a duplicate set of papers, which are filed with it. The process has the additional advantage of securing our assistance in protecting well-meaning manufacturers by pointing out the inaccuracies in the papers as they are filed with the department. Since the first day of September we have issued, largely upon request, 31,000 blank forms for affidavits, composed partly of those for native and foreign-born children. We have had filed with us since that date approximately 3,000 affidavits made out on the new form. The labor law provides that all affidavits which are filed under the old act previous to the first day of last September have the same force and virtue as those complying with the new requirements. Considering this fact, the number of affidavits received seems to indicate the desire upon the part of the manufacturers to comply with the law. A number of these affidavits are not complete in all the details, and we are insisting upon a strict compliance with the requirements of the law. Another wise section permits the demand for proofs of age. Where the department finds a child working in a factory who is manifestly under age, but cannot obtain proof of the fact, we may demand a

'proof of age.' In this case the custodian of the child must procure proof satisfactory to the department. Another important section empowers the department to demand a certificate of physical fitness. In many cases one child at twelve years of age is much better equipped for factory work than another child at fifteen. Where the physical condition of the child seems to indicate too frail a constitution to carry on the work required of it we may demand a certificate from some practicing physician that the child is strong enough for the work.

"Before making up the forms and blanks for operation of the department we corresponded with practically all the factory departments in the United States, and naturally secured a great mass of literature on the subject. We have adopted a system of blanks which, while not perfect, apparently covers every condition. The inspectors are required to fill out in detail the inspection blanks, and they are in turn filed in the department office. In this manner a history of each case can be found. The system has proved practically satisfactory, and it is particularly effective in detecting cases of re-employment of children who have been discharged from one factory and receive employment in another.

"While ignorance is never an excuse for the violation of the law, at the same time it is so frequently pleaded that we mailed to each manufacturer of the state a copy of the law, prepared by the department in book form, containing an index pointing to the various heads of the act; a copy of both a native-born and foreign-born affidavit; a summary of the new law, for posting in factories, and a scale drawing of the proper fire escape. They were accompanied by a letter calling attention to certain salient features, and volunteering further assistance. These letters have brought on a very considerable amount of correspondence, and show a disposition upon a large part of the manufacturers of the state to comply with the law.

"A criticism has been made that at times when a child is taken from a factory instead of going to school it runs the streets. We have adopted a course of notification designed to obviate this evil. Orders are made for the discharge of a child from an order book in three sections; one is for the stub, giving a description of the case; another contains a notice to the manufacturer to discharge the child within five days after the receipt of the order, and a third is a return slip, apprising the department of the date upon which the child left

their employ. Each case is given a number, and a sister book is kept, wherein the same number is used in each instance, and when a discharge notice is sent out a notice is mailed to the nearest truant officer or other educational authority, informing him that a child of a certain name and address will be discharged from a mill on a given date. While we have not the authority to follow up a case further, at the same time the proper enforcement of the compulsory educational law insures the attendance at school.

"The department has brought, under the old law, twenty-three suits for the improper employment of children, and has secured nineteen judgments, being successful in all but one case which have been finally disposed of at this time. Our present inspections certainly indicate the fact that there are less children under fourteen years of age working in the factories of New Jersey than at any other time in the history of the department. The crowded conditions of the school rooms, shown by reports from various sections of the state, would also bear out this contention.

"The department has endeavored to recognize and protect the various interests of the parties with whom it has to deal. While strictly enforcing the child labor law, at the same time it has aimed to do so in such a manner as to permit every child over fourteen years of age the right to work under the provision of the law. It has also endeavored to administer provisions intended for the betterment of labor conditions in such a manner as to protect the undeniable rights of capital, enforcing the law with as little inconvenience and hardship as possible to the manufacturers. We have been able to accomplish a number of good results without even the necessity of an order. Whenever possible this course will be pursued, as it will be our aim to administer the act insuring to the laborer his just claims without any undue hardships or inconvenience to the employer."

During the year which closed October 31, 1904, the department inspected 1,788 manufacturing establishments, making, in addition to special visits and inspections 2,404 regular inspections. There were 272 orders issued and 397 children discharged as below the legal age.

Shortly after the appointment of Colonel Bryant as chief of the department of labor Mr. John L. Swayze was made assistant attorney-general of New Jersey. In this capacity he acted with

Colonel Bryant in the various suits which were brought for violation of the child labor laws. Most of these were test cases, and some interesting points came up in the decisions. In the case against the Johnston & Murphy Shoe Company of Newark, for the employment of a girl under fourteen, the defendants' superintendent, Charles Gibbons, testified that sometime previous to the date of the alleged violation, the shoe company let its fitting work out on contract to James Waldon, who occupied a room in the building. Last January the firm took the work over, and the contractor's employees were retained. Mr. Gibbons said that as soon as he found out that the girl was under age she was discharged. The court said that lack of knowledge as to an employee's age did not excuse employers from the penalty of violation, if there was violation, and gave judgment for fifty dollars fine.

Another case was that against Barton & Ackerman, silk throwsters, charged with employing Henry Ball, a boy under the legal age of fourteen years. The only witness summoned in behalf of the state was Mr. Wells, the deputy inspector, but Mr. Swayze, after court had opened, requested one of the defendants to take the stand. Mr. Ralph Shaw, counsel for the firm, objected to this, claiming that a defendant could not be called upon to give testimony against himself. Judge Lewis held that the procedure in criminal courts did not hold good in this instance. The court fined the firm fifty dollars, and allowed counsel ten days in which to file an appeal.

The third case was that against the parent of an Italian boy named Imperatore. The boy was employed by James Dutton in the Essex mills under an affidavit signed by his father setting forth that he was born in Aquila, Italy, in February, 1888. The department secured a certificate from the Ufficio di Stato Civile, or Bureau of Vital Statistics of the Commonwealth of Scontrone, Italy, showing that the boy was born in that province in February, 1891.

As a result of these suits, which have been largely advertised, factory owners are taking extraordinary precautions to make sure that those they employ are of the age required by law. In many instances employers have secured certificates not only from children applying for positions, but from those who are already employed prior to the enactment of the new law. The sentiment throughout the state seems to have changed. Where there was almost open disregard there is now a manifestation of watchful care lest the

law may be violated and its penalty incurred. The wholesome respect for the law itself is due to the conviction that it will be earnestly and fearlessly enforced.

One of the largest factories is now working under a rule, recently adopted, that will prove very effectual in prohibiting the employment of children under the age of fourteen. The managers of the concern, after carefully considering the matter, called before them all the contractors in their employ and all heads of departments, and informed them that if at any time while the present state law is in operation a child under the age of fourteen is employed in the factory, the responsibility will be laid upon the man in whose department the child is employed; the company will assume no part of it. If the state officers find the law violated and the company is fined the money will have to be paid by the person in charge of the department in which the child was illegally allowed to work.

As has been said, Commissioner Bryant's report only covers September and October of 1904, so far as the new law is concerned. Now that it has been in operation for six months, the law itself and the quality of administration may be said to have been fairly tested. For the purpose of getting information on these points, and also on the problems of compulsory education, which are so inextricably bound up with that of child labor, I prepared a list of questions as follows, which were sent to the superintendents of schools in all the various cities, and also to others who are dealing daily with the children of the poor, such as child-caring and charity organization societies, probation officers, truant officers, and priests whose parishes include large parochial schools, and some of the best informed clergy of other denominations, and labor leaders:

Do you know of any children under fourteen in your city who are at work in a factory?

Do you know of any families who complain of need because of the enforcement of the child labor law?

Do you believe that the child labor law is being thoroughly enforced in your city?

Is the compulsory education law fully enforced?

Are the schooling facilities in your city adequate for the children of school age?

Are there any factories in your district which employ chil-



dren over fourteen at night? If so, in what industry, and what is the effect on the children?

Can you suggest any deficiencies in the child labor law which might be remedied?

Have you seen any actual results from its operation this winter?

Replies to these questions indicate that so far as their observation and experience extends, the persons to whom the inquiries were addressed are substantially convinced that the child labor laws are being enforced with remarkable thoroughness. Replies have been received from the school superintendents of Asbury Park, Atlantic City, Bayonne, Bridgeton, Camden, East Orange, Elizabeth, Jersey City, Millville, Montclair, Morristown, Newark, Orange, Passaic, Paterson, Perth Amboy, Plainfield, Rahway, Trenton, Union, and West Hoboken.

Only a few of the school superintendents know of any children under fourteen who are at work in a factory. Mr. W. M. Swingle, of Orange, says he has been told that there are children under fourteen at work in factories, and has investigated several cases, and found children under age. The superintendent of the Montclair schools says that he thinks there are a few children under fourteen at work in factories. The superintendent of the Elizabeth schools answers the questions, thus: "No. They have been closely watched." The superintendent of schools in Jersey City replies: "At present, none. A few cases have come to my notice during the past year. In these the law was enforced and the children required to attend school." The chief attendance officer of Newark says: "I have no personal knowledge of any children under fourteen at work in factories. As soon as we hear of any we force them to leave the shop and return to school." The Paterson superintendent says that there are very few children under fourteen in factories. The Perth Amboy superintendent instructed the school principals to put the question to teachers. The latter say they know of "some such cases." The superintendents of Bridgeton, Orange, and Perth Amboy are the only ones that do not believe the law is being thoroughly enforced. The Paterson superintendent says that it is enforced, but not perfectly. The Trenton superintendent says: "Yes, a few. Three or four." Perhaps it is well to say in this connection that very few

people are aware that the law is not retroactive, and that faulty affidavits as to age which were filed under the old law previous to the first of September, 1904, cannot be questioned by the commissioner.

The answers as to the enforcement of the law which have come in from other sources are, with two exceptions, to the effect that the law is being enforced and that the persons who have replied do not know of any children under fourteen who are at work in factories. Father O'Connor, of Harrison, does not think the law is being thoroughly enforced, though he notes a great increase in school attendance. The Rev. Henry Willmann, who is the chairman pro-tem. of the Organized Aid Association of Jersey City, does not think the law is being thoroughly enforced, but only knows of one case of a child under fourteen who is at work, and says that he has had a number of applications for certificates of birth in his capacity as rector of a church. Mr. A. W. McDougall, the secretary of the Newark Bureau of Associated Charities, says that from personal knowledge of cases he has reason to believe that the law is thoroughly enforced. He says that he has seen good practical results from the operation of the law, and adds: "This society is heartily in accord with the present administration of the child labor law, and can testify to its effectiveness. We only hope the department will remain as effective as it is now." Father Whelan, Bayonne, says: "During the month of February, 1905, yes. Up to that time I did not hear of any effort, but then it was rigidly enforced."

With regard to the second query, "Do you know of any families who complain of need because of the enforcement of the child labor law?" the affirmative answers are as follows: Superintendent of schools of East Orange, "two." Superintendent of Jersey City, "A few such cases have come to my knowledge." Chief attendance officer, Newark, "I have at least one or two families every week who complain, but many of the complaints are groundless." Superintendent of Orange, "One or two such complaints have been made." Superintendent of Montclair, "Yes, some families complain." Superintendent of Passaic, "Yes, many." Superintendent of Paterson, "Certainly, yes." Superintendent of Perth Amboy, "Think there are a few." The Plainfield superintendent says, "None with foundation in fact for such complaints." The Rev. Henry R. Rose, Newark, "Yes." The Rev. F. A. Foy, Avondale, "Only one. Italian family of seven children. Girl of

thirteen, quite large, looks fifteen." The secretary of the Organized Aid Association of Plainfield, "Two cases (parents are lazy)." The secretary of the Bureau of Associated Charities of Newark, "Yes, we have had several families. In the majority of cases, however, the enforcement of the law was not the real cause. It was a ne'er-do-well father, or older brothers who shirked, etc." Father O'Connor, "Yes. Parents addicted to drink." Rev. H. Willmann, "I know several families in need because of the enforcement of the law." Poormaster Barck, of Hoboken, "Yes."

In this connection it is interesting to note that a bill was introduced in the assembly by an assemblyman from Hoboken, which would have weakened both the child labor law and the compulsory education law if passed. It provided that a child of school age might be exempt from school attendance "if the circumstances surrounding such child would probably result in such child or its family becoming public charges." It is supposed that this bill was introduced on behalf of the relief authorities of Hudson County, but the bill died in committee.

In response to the question, "Have you seen any actual results from the operation of the child labor law this winter?" most of the answers are simply "Yes." The superintendent of the Trenton schools presented the questions to the principals of the different schools, and has summarized their reports. He says: "Many children are in school who would otherwise have been at work. Many have returned to school who were at work. Many have been refused employment and then advised to return to school by the managers of industrial concerns."

The superintendent of the Orange school says: "I know of several cases where the children have been discharged and are now in school." The superintendent of the Elizabeth schools says that many children were dismissed from Singer's factory, and other places. The superintendent of the Millville school reports "Fuller schools." The Paterson superintendent says: "Yes, of course. Our inspector has been active." The Passaic superintendent reports "Increased attendance at school." The Newark attendance officer says: "The effect of the law has been to make factory and workshop owners more careful in their employment of children. It has acted as a deterrent." Father O'Connor reports: "Great increase in school attendance." Father Gessner reports: "The result is very good, so

far as I can see. The only fault I have to find is that there are too many children around the corners who ought to be in school." The Rev. James I. Vance says: "Yes, some children have been kept from the mills." The Montclair superintendent says: "Fourteen or fifteen girls under sixteen years were employed from 7 a. m. until 9 p. m. for four nights a week during three or four weeks."

Father Whelan, of Bayonne, says: "During February, 1905, I interested the inspector to visit the Standard Oil children who worked there every day, Sunday included. He did good work in enforcing the fifty-five hours law for those under eighteen, and thus stopped Sunday work. He had some children withdrawn from the silk factory."

Mr. E. J. Falsey, the vice-president of the Mercer County Central Labor Union, says that there has been a large increase in school attendance. He does not know of any children under fourteen who are at work in a factory, and says that while the law may be improved upon, he believes that it would be best to wait until the time ripens before making any changes. He adds: "I feel confident that the department of labor has done the best they could under the new law, and the enforcement of this law is only too well shown by the opposition which is shown from time to time. The department of labor has done remarkably when you take into consideration the conditions that existed when it was inaugurated. Would like to see sixteen years for girls."

With regard to the possible deficiencies in the child labor law, the following suggestions were made:

Henry Snyder, superintendent of schools, Jersey City, "The provisions of law for the support of destitute families should be more ample. If the law keeps children from work, and requires them to attend school, it should also provide them with proper maintenance, if the parent or parents are in indigent circumstances. This help should be given in such a way as to maintain the family organization and relations, if the parental or family influence (in the cases of the families in question) is wholesome. In some cases pleas have been made to us to allow children of widows to remain away from school in order that they might by their earnings help in the support of mothers and other children. This course is sometimes urged upon us by well-meaning people, who think the law is unnecessarily severe. We have invariably refused, because

the law does not permit us to accede to such requests, and because (which is more important) a policy which helps some individuals by injuring others, viz., those children who labor, cannot be judicious. We should aim rather to benefit all. To do this it is necessary to give public or private aid to some children and families. And, as I have already said, the law should permit public aid to be given, or, rather, should require public aid given (if private aid is not available) in such a way as to maintain the family circle."

James A. McCall, chief attendance officer, Newark: "The main deficiency apparently is that it is not really a child labor law, but a factory law, as it covers factories and workshops only. It should undoubtedly cover all forms of child labor."

O. I. Woodley, superintendent of schools, Passaic: "I think educational qualifications at fourteen years of age before receiving a permit to leave school is desirable, a transfer to be issued when the child is able to do certain specified things called for in the course of study. Many of those who leave our grades here at fourteen years of age know so little that in no way can they subsequently become well informed and useful citizens. There is so much dishonesty concerning the ages that this entire matter could be greatly simplified if the educational qualifications were regarded. Parents are actuated by the desire for money, while teachers of schools are actuated by the desire to have every child possessed of the power to be a part of the life in which he is to live."

W. E. Chancellor, superintendent of schools, Paterson: "Factory inspectors on high salaries, and perfect tenure." (Sic.)

H. M. Maxson, superintendent of school, Plainfield: "The law is not at hand; but if it exempts any class of children (gas, factory or telegraph and messenger boys) I deem it imperfect."

Robert Waters, superintendent of schools, West Hoboken: "I think the clauses in the school law, if enforced, are sufficient."

Rev. Henry R. Rose, Newark: "Right of petition to the court of common pleas has been suggested to me as a course that should be allowed, where to keep children from work will mean the pauperizing of their parents."

Miss Anna H. Van Meter, secretary of the Associated Charities of Salem: "No. I approve of a child labor law. Yet, even in this small place more children go to ruin from laziness than work."

Rev. T. J. Moran, Catholic Protectors, Arlington: "More



severity in enforcing school laws on the part of those having the authority, and more severity in keeping boys and girls of school age off the streets on part of the police. Without these nothing can be done."

Rev. F. A. Foy, Avondale: "In view of the hardship of the law as it stands, in certain cases would it be well to rest discretionary powers in the commissioner of labor so as to permit children under fourteen who are more than usually developed physically (i. e., when the development is as great or greater than the average child at fourteen years) for their age, to work in factories, provided the family is destitute and needs the wages of the child? Application might be made by the overseer of the poor or by any incorporated child-caring or charitable society, to the commissioner, who might prescribe the nature of the proofs required (viz., physicians' certificate as to physical conditions, etc.), and the commissioner could also investigate for himself. He should be charged with taking into view all the circumstances, educational and physical, touching the application, as a basis for his exercise of discretionary power. A special clause should free such a child (after favorable action by the commissioner) from the operation of the compulsory education law. I don't think it could be construed as 'class legislation' under the New Jersey decisions, and it would therefore be constitutional."

Harry L. Barck, Jr., overseer of the poor, Hoboken: "The truant boy may do better in a factory."

Mr. A. W. McDougall, secretary of the Bureau of Associated Charities of Newark: "I think there should be an education qualification."

Otto W. Davis, the superintendent of the Charity Organization Society of Paterson, says that he does not know of more than four or five families who have complained of need because of the enforcement of the child labor law in two years, and that there are practically no children in Paterson who are employed in factories at night. He adds: "The only complaint which I have to make regarding the child labor law is on the side of the compulsory education. There is no systematic attempt in this city to compel children under fourteen to attend school. We have only one truant officer going about in strips and making great fun for the boys as they dodge him around the corners. If the compulsory education law was anywhere as nearly as well enforced as the law prohibiting children

working under fourteen years, the situation would be much more commendable. As it is, children are sent home from the mills by the inspector only to go to work elsewhere or play around the streets, in spite of the fact that all children discharged by the inspector are reported to the superintendent of schools. I believe our inspector, Mr. Wells, deserves much credit for his faithfulness in performing his duties.

"The only cases I know of where children are working under the age limit are those of certain boys where the efforts of both truant officer and the parents have failed utterly to compel the boy to go to school, and where he is in danger of going to the bad on account of being left in the street. I have just come from visiting such a case this afternoon. The parents did not want the boy to work, and have done everything in their power to get him to go to school, but all in vain. He has even been locked up for truancy, all to no avail. He was rapidly going to the bad when set to work and is now doing nicely. I confess that in such a case as this I am at a loss to know what is best to do: obey the law and ruin the boy, or save the boy and slight the law."

Mr. James E. Bryan, the superintendent of public schools in Camden, says: "We are studying this whole matter, but do not feel in position, after so short a time, to give information yet."

Mr. Richard Stevens, probation officer for Hudson County, endorses the labor department, but believes that "factory inspector should have power to grant permission in certain cases for children under fourteen to work, with safeguards against abuse." He says the compulsory education law is not fully enforced.

Miss Kremm, the secretary of the Elizabeth C. O. S., says that the child labor law answers all present needs, and is well supported, but that schooling facilities are inadequate. She adds: "A number of children have applied at this office, asking the society to use its influence to place them again at work. In all but one case we have refused. One case we were satisfied to interest ourselves in, but the labor commissioner said that no exception could be made. We have had to assist families which were dependent on the earnings of children under the age limit."

Mr. J. H. Christie, superintendent of Bayonne schools, says that the law is thoroughly enforced in factories. Bayonne has no truant officers, but is preparing for them. The schooling facilities

are not adequate, and he complains of the lack of a place for "in-corrigibles." He knows of no families in need because of the operation of the child labor law.

Apart from the failure to prohibit night work for children between the ages of fourteen and sixteen, the only point in regard to which the law itself has been seriously criticised is that it lacks a provision requiring the actual educational test of scholarship. There are undoubtedly some cases of children who have reached the age of fourteen without even learning to read and write. If so it is due to one of the following reasons: First, because the child's attendance at school has been very irregular, to the point perhaps of actual truancy. This of course implies that the compulsory education law has not been properly enforced, either because of the lack of sufficient school facilities or of any provision for the employment of a truant officer. Second, that the child is abnormally dull and slow, which probably implies that it belongs to the backward or atypical class, for whom special classes should be provided; or, third, that the child is a recent immigrant, and has not been in the country long enough to get the benefit of our public school system. The practical expediency and value of an educational test in connection with the child labor law seems to be a debatable one. However this may be, it is certain that at the present time there are comparatively few manufacturing communities in New Jersey where the question has any immediate practical bearing upon the child labor problem. The enormous industrial development of the past decade in northern New Jersey, with the remarkable increase in population, has strained the resources of the important cities to the debt limit allowed by law. The amount of bonded indebtedness is definitely restricted, and in spite of the fact that the cities are steadily and continuously putting up new schools, there are a number of communities which have not yet caught up with the increase in the children of school age, and are consequently hampered, if not prevented, from the strict enforcement of the compulsory education law. The appointment of truant officers is a very recent matter in all but three or four favored communities, and it is generally felt by those who have given the matter any study, that the next important step in welfare work for the children of New Jersey is the extension of the truancy system and the establishment of parental schools. At the instance of the State Board of Education Judge Scott, of Paterson, presented a bill to

the recent legislature providing for the establishment of county schools of detention, for the care of habitual truants and dependent and delinquent children under sixteen whom it may seem necessary to hold in custody by virtue of the order of any of the courts of common pleas. The act provided for complete school equipment. Unfortunately the bill failed of passage.

The child labor act has been recently supplemented by a bill including all the provisions of the old law relating to the inspection of bakeries. In this bill night work for children under sixteen is prohibited, and it is hoped that with this as an entering wedge it may be possible next year to pass a bill prohibiting the employment of children at night under sixteen in all factories or workshops. The glass factories seem to be the only ones which now employ children at night.

The city of Newark passed a municipal ordinance last year licensing newsboys, which has been vigorously enforced, and works very well.

When Governor Murphy appointed the eleven deputy inspectors in the department of labor he wrote each one of them as follows:

"Your first duty will be to study the law so as to become familiar with what it requires on the part of those whom it affects, and what is your duty under it.

"The law must be enforced, not in a way to annoy, but in a fair and considerate manner. But it must be enforced, and your duty under it must be faithfully and continuously performed. I have appointed a chief commissioner who is in full sympathy with its provisions and who will give you instructions concerning the detail of your work. These instructions he will expect you to follow implicitly.

"It is believed that the proper enforcement of the law will prove of great advantage to the people of the state, and I count upon your loyal and unfailing support in the discharge of your duties."

No state or country has yet succeeded in devising a child labor law and a factory inspection system so perfect as to work automatically. With the co-operation of the educational authorities and the philanthropic forces of the community, and the backing of a strong public sentiment, the cases of disobedience should, however, be few and exceptional. On the whole I think it may be doubted if

there is any state in the Union where the employment of children is more carefully, thoroughly, justly, and wisely regulated than in New Jersey at the present time, excepting for the unfortunate fact that children between the ages of fourteen and sixteen are still employed at night. The department has been taken out of politics and put on an honest basis in the hands of a firm and able administrator.



## CHILD LABOR LEGISLATION,—A REQUISITE FOR INDUSTRIAL EFFICIENCY

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BY JANE ADDAMS,  
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We continually assert that we are living in an industrial age and on many occasions we openly boast of our industrial achievements; it is, for instance, almost impossible to make an acceptable Fourth of July oration without impressive mention of the railroads and telegraph lines "which bind together a mighty continent." Although in our moments of expansiveness we so fully admit this successful industrialism, at other times we seem to be ashamed of it and continually insist that we must find our culture, our religion and our education quite outside of it, as if the inner world developed in complete independence of the outer. This may be one reason that our culture, our religion and our education so often seem weak and feeble compared to our industrialism. We fail to realize that because we are living in an industrial age we must find our culture through that industry, and that to seek culture in some other age that is not our own is to wear a borrowed and ill-fitting garment; that if we fail to apply our religion to the industrial situation and refuse to be guided by it through the problems which current industrialism develops, that it perforce becomes meaningless and remote, and that even more is this true in regard to education. A school which fails to give outlet and direction to the growing intelligence of the child "to widen and organize his experience with reference to the world in which he lives" merely dresses his mind in antiquated precepts and gives him no clue to the life which he must lead. It was formerly assumed that a child went to school unwillingly, and that he there entered into an unending struggle with his teacher, who was often justified in the use of coercion. The new pedagogy, which is so ably represented in New York, holds that it is a child's instinct and pleasure to exercise all his faculties and to make discov-

eries in the world around him, that it is the chief business of the teacher merely to direct his activity and to feed his insatiable curiosity. In order to accomplish this he is forced to relate the child to the surroundings in which he lives, and the most advanced schools are using modern industry for this purpose.

Educators have ceased to mourn the changed industrial conditions in which children were taught agricultural and industrial arts by natural co-operation with their parents, and they are endeavoring to supply this disadvantage by manual arts in the school, by courses in industrial history, and by miniature reproductions of industrial processes, thus constantly coming into better relations with the present factory system.

The advocates for child labor legislation, as all the sessions of this conference have testified, are most heartily in sympathy with this new standpoint, and in several notable instances the advanced educator is he who is most conspicuously striving for adequate legal protection for the child. The members of this conference are in no sense those who advocate a life of idleness or of meaningless activity for the growing child, nor do they believe in a spurious or "leisure class" culture. On the contrary I hope to be able to show that because we recognize the significance and power of contemporary industrialism that we hold it an obligation to protect children from premature participation in its mighty operations, not only that they may secure the training and fibre which will later make that participation effective, but that their minds may finally take possession of the machines which they will guide and feed.

There has been for many years an increasing criticism of the modern factory system, both from the point of view of the worker and from the point of view of the product itself. It has been said many times that we cannot secure good workmanship nor turn out a satisfactory product unless men and women have some sort of interest in their work, and some way of expressing that interest in relation to it. The system which makes no demand upon originality, upon invention, upon self-direction, works automatically, as it were, towards an unintelligent producer and towards an uninteresting product. This was at first said only by such artists and social reformers as Morris and Ruskin, but it is being gradually admitted by men of affairs and may at last incorporate itself into actual factory management, in which case the factory itself will favor child

labor legislation or any other measure which increases the free and full development of the individual, because he thereby becomes a more valuable producer. We may gradually discover that in the interests of this industrial society of ours it becomes a distinct loss to put large numbers of producers prematurely at work, not only because the community inevitably loses their mature working power, but also because their "free labor quality," which is so valuable, is permanently destroyed. Exercise of the instinct of workmanship not only affords great satisfaction to the producer, but also to the consumer who is possessed of any critical faculty.

We are told that the German products hold a foremost place in the markets of the world because of Germany's fine educational system, which includes training in trade schools for so many young men, and that there is at the present moment a strong party in Germany opposing militarism, not from the "peace society" point of view, but because it withdraws all of the young men from industrial life for the best part of three years, during which time their activity is merely disciplinary, with no relation to the industrial life of the nation. This anti-military party insists that the loss of the three years is serious, and the nation cannot successfully hold its advanced place if it must compete with those nations who do not thus withdraw their youth from continuous training at the period of their greatest docility and aptitude.

It is said that among the workingmen of England, many of whom are engaged in supplying those cheap markets composed of semi-savage people which it is the pride of Great Britain to open to her manufactures, there is growing up a protest against the cheap and inferior articles which they are constantly obliged to make. The workers in the factories producing these unworthy goods are beginning to feel robbed of the skill which would be demanded if they were supplying the markets of civilized people and were ministering to the demands of increasing taste. "Cheap and nasty goods have an evil effect upon the producer as well as upon the consumer." It would be a curious result if these very markets which the British empire has so eagerly sought would finally result in so debasing the English workingmen that they would at last be shut out from their legitimate share of the civilized markets of the world. It would be easy to produce other illustrations to demonstrate that in the leading industrial countries a belief is

slowly developing that the workman himself is the chief asset, and that the intelligent interest of skilled men, that power of self-direction and co-operation which is only possible among the free born and educated, is exactly the only thing which will hold out in the markets of the world. As the foremen of factories will testify again and again, factory discipline is valuable only up to a certain point, after which they must depend upon something else if they would achieve the best results.

The smallest child I ever saw at work was in a southern mill,—a little girl of five walked up and down her short lane in a spindle room. The product the mill was turning out was cotton sheeting of the coarsest sort, which was said to be designed for use in the Chinese army. Quite naturally a child of five, holding her snuff stick against her first "milk-teeth" and tying threads with her clumsy baby hands, could not contribute to a product demanding care and skill, and a mill which used up the labor power of its community in such reckless fashion could never hope to compete with the product turned out in another community in which a large share of the mechanics had been carefully educated in the public school and in which the municipality itself sustained a textile school.

Monopoly of the raw material and newly-opened markets are certainly valuable factors in a nation's industrial prosperity, but while we spend blood and treasure to protect the one and to secure the other, we wantonly destroy the most valuable factor of all, which is intelligent labor.

We have made public education our great concern in America and perhaps the public school system is our most distinctive achievement, but there is a certain lack of consistency in the relation of the state to the child after he leaves the public school. At a great expense the state has provided school buildings and equipment, and yet other buildings in which to prepare professional teachers. It has spared no pains to make the system complete, and yet as rapidly as the children leave the school room the state seems to lose all interest and responsibility in their welfare, and has, until quite recently, turned them over to the employer, with no restrictions as to the number of hours he shall permit them to work, nor as to the sort of employment which he shall give them. The Webbs long ago used in illustration of this contradictory attitude of the state the

story of an employer who might ask the state to equip his factory with machinery of recent invention that he might use it for his own profit and with but the incidental benefit to the community; at the end of a few years finding it worn out, he would again apply for a new equipment of a later device and value, throwing the old back upon the state which had previously given it to him. The Webbs insist that this is analogous to the employer asking the state for children, who have been educated in the public schools, demanding that they be especially drilled in habits of obedience and promptness and in those practical studies which make them the most useful to him; he puts them to work, and if they are worn out at the termination of a few years by labor beyond their strength, the state will have to care for some of them in its hospitals and poorhouses, but it takes them back without a word of protest against the employer who demands a fresh lot, educated in accordance with his requirements, which he may again overwork without any interference from the state. At no point does the community say we have allowed you to profit by the labor of these children whom we have educated at great cost, and we demand that they do not work so many hours that they shall be exhausted, nor shall they be allowed to undertake the sort of labor which is beyond their strength, nor shall they spend their time at work which is absolutely devoid of educational value. The preliminary education which they have received in school is but one step in the process of making them valuable and normal citizens, and we cannot afford to have that intention thwarted, even though the community as well as yourself may profit by the business activity which your factory affords. Such a position seems perfectly reasonable, and yet the same citizens who willingly pay taxes to support an elaborate public school system strenuously oppose the most moderate attempts to guard the children from needless and useless exploitation after they have left school and have entered industry.

Mr. Edgar Gardner Murphy, a member of the National Child Labor Committee, has said that child labor is a national problem, even as public education is a national duty. The children of Alabama, of Rhode Island and Pennsylvania belong to the nation quite as much as they belong to each state, and the nation has an interest in the children at least in relation to its industrial efficiency, quite as it has an interest in enacting protective tariffs for the preservation of American



industries. In a democratic country children in one station of life are quite as valuable as those in another, not only from a human point of view, which is true the world over, but from a strictly national point of view, and in studying industrial conditions in the light of their effect upon the children we may discover that the children cannot be adequately protected by too much deference to state lines, quite as it was found that a railroad commission must represent interstate authority in order to deal with railroads which were independent of state boundaries. There is a distinct manufacturing region composed of Western Pennsylvania, West Virginia and Ohio in which similar labor conditions prevail, and yet Ohio has a law which forbids a child under sixteen to work all night, in Pennsylvania any child over thirteen may work all night, and in West Virginia any child over twelve. The manufacturing establishments in these three states enjoy the same protective tariff and railroad rates, concerning which the federal government is most alert that no discrimination shall be made, and yet the nation is quite unmoved if the children in West Virginia are crushed and brutalized by being allowed to do night work four years earlier than the children of Ohio.

Uniform compulsory education laws in connection with uniform child labor legislation are the important factors in securing educated producers for the nation, but there is another side to the benefits of child labor legislation represented by the *time element*, the leisure which is secured to the child for the pursuit of his own affairs, quite aside from the opportunity afforded him to attend school. Helplessness in childhood, the scientists tell us, is the guarantee of adult intellect, but they also assert that play in youth is the guarantee of adult culture. It is the most valuable instrument the race possesses to keep life from becoming mechanical. The child who cannot live life is prone to dramatize it, and the very process is a constant compromise between imitation and imagination as the overmastering impulse itself which drives him to incessant play is both reminiscent and anticipatory. In proportion as the child in later life is to be subjected to a mechanical and one-sided activity and as a highly-subdivided labor is to be demanded from him, it is therefore most important that he should have his full period of childhood and youth for this play expression, that he may cultivate within himself the root of that culture which can alone give his

later activity a meaning, and this is true whether or not we accept the theory that the æsthetic feelings originate from the play impulse with its corollary—that the constant experimentation found in the commonest plays are to be looked upon as “the principal source of all kinds of art.” In this moment, when individual forces are concentrated and unified as never before, unusual care must be taken to secure to the children their normal play period, that the art instinct may have some chance and that the producer himself may have enough coherence of character to avoid becoming a mere cog in the vast industrial machine.

Quite aside also from the individual development and from the fact that play in which the power of choice is constantly presented and constructive imagination required is the best corrective of the future disciplinary life of the factory, there is another reason why the children who are to become producers under the present system should be given their full child-life period.

The entire population of the factory town and of those enormous districts in every large city in which the children live who most need the protection of child labor legislation consists of people who have come together in response to the demands of modern industry and who are held together by the purely impersonal tie of working in one large factory, in which they not only do not know each other, but in which no one person nor even group of people, knows all of them. They are utterly without the natural and minute acquaintance and inter-family relationships which rural and village life affords, and are therefore much more dependent upon the social sympathy and power of effective association which is becoming its urban substitute. This substitute can be most easily experienced among groups of children.

Play is the great social stimulus, and it is the prime motive which unites children and draws them into comradeship. A true democratic relation and ease of acquaintance is found only among the children in a typical factory community because they readily overcome differences of language, tradition and religion, which form insuperable barriers to adults. “It is in play that nature reveals her anxious care to discover men to each other,” and this happy and important task children unconsciously carry forward day by day with all the excitement and joy of co-ordinate activity. They accomplish that which their elders could not possibly do, and they render a

most important service to the community. Social observers comment upon the influence of this group and gang spirit as it is carried over into politics, but no valuable observations have as yet been recorded of its relation to the present system of production, which is so pre-eminently one of large numbers of men working together for hours at a time, probably because the factory offers so little opportunity for its exercise compared to the operations of self-government even in its most unsatisfactory manifestations in a crowded city quarter.

It would bring a new power into modern industry if the factory could avail itself of that *esprit de corps*, that triumphant buoyancy which the child experiences when he feels his complete identification with a social group; that sense of security which comes upon him sitting in a theatre or "at a party" when he issues forth from himself and is lost in a fairyland which has been evoked not only by his own imagination, but by that of his companions as well. This power of association, of assimilation which children possess in such a high degree, is easily carried over into the affairs of youth if it but be given opportunity and freedom for action as it is in the college life of more favored young people. The *esprit de corps* of an athletic team, that astonishing force of co-operation, is, however, never consciously carried over into industry, and is persistently disregarded. It is indeed lost before it is discovered, if I may be permitted an Irish bull, in the case of children who are put to work before they have had time to develop the power beyond its most childish and haphazard manifestations.

Factory life depends upon groups of people working together, and yet it is content with the morphology of the group, as it were, paying no attention to its psychology to the interaction of its members. By regarding each producer as a solitary unit a tremendous power is totally unutilized, but in the case of children who are prematurely put to work under such conditions an unwarranted nervous strain is added as they make their effort to stand up to the individual duties of life while still in the stage of group and family dependence. We can all recall moments in our childhood when we were not allowed to go "out to play" with other children and were overcome with rage and helpless despair as we looked from the window at the playing group which we could not join. We can recall moments of even more bitter isolation when we were "with the

others," but owing to some eccentricity of dress or some other stupid mistake of a controlling adult, we still felt quite outside of the group which we so fervently called our own. Some such remembrance may perhaps aid our imagination in behalf of the solitary child working in a crowded factory.

We naturally associate a factory with orderly productive action, but similarity of action without identical thought and co-operative intelligence is coercion and not order, and the present factory discipline needs to be redeemed as the old school discipline has been redeemed. In the latter the system of prizes and punishments has been given up not only because they were difficult to administer, but because they utterly failed to free the power of the child. "The fear of starvation," of which the old economists made so much, is, after all, but a poor incentive to work, and the appeal to cupidity by which a man is induced to "speed up" in all the various devices of piecework is very little better. The natural reaction against these in the determined efforts of workmen "to limit the output" has arraigned the entire system. It is the old revolt against incessant muscular labor divorced from any exercise of the instinct of workmanship and devoid of the creative touch of the artist.

Let us realize before it is too late that in this age of iron, of machine-tending, and of sub-divided labor, that we need, as never before, the untrammelled and inspired activity of youth. To cut it out from our national life, as we constantly do in regard to thousands of working children, is a most perilous undertaking and endangers the very industry to which they have been sacrificed.

We may in time learn to be discontented with the pleas which we continually put forth on behalf of more adequate child labor legislation, demanding, as we continually do, that the child be secured his normal period of growth and his full chance to acquire such education as the state is able to provide; we may in time add to that, that we are imperilling our civilization because at the moment of its most marked materialism we wantonly sacrifice to it that eternal spirit of youth, that power of variation which alone prevents it from degenerating into a mere mechanism; that in the interests of industrial efficiency we will be obliged to extend legislation for the protection of working children.

## CHILD LABOR FROM THE EMPLOYER'S POINT OF VIEW

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BY EMIL G. HIRSCH,

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Enlightened self-interest is declared by orthodox economics to be the one central shrine at which every normal human being pays spontaneous worship and receives, in return, rewarding and stimulating inspiration. The Fetich there enthroned is incessantly invoked by the high priests presiding over its oracles, both when what they declare to be foolish and iniquitous attacks are devised on the inalienable privilege of the stronger to exploit the weaker, and also when with unctious emphasis counsel is dispensed to the ambitious with a view to luring them to earnest efforts. That at the goal of the race run in keeping with this god's pronunciamientos wonderful prizes are awaiting the successful while disobedience entails disaster, is the recurrent appeal and admonition of the school.

For the nonce, I shall range myself among the devotees of the dogma. I accept it blindly and upon faith. Whether its psychology be sound shall not constitute my solicitude. I concede that men are beasts of prey, with predatory instincts held in leash only by cold calculations of possible consequences that might prove costly and uncomfortable to themselves. I shall not even quibble whether the doctrine of enlightened egotism be intended merely as descriptive of the processes actually effective or be also meant as normative and regulative, as a law imbedded in the very nature and harmony of things. Such enquiry would lead too far afield into the domain of ethics, and the ethical aspect of the problem before us lies outside the immediate field of my observations. To economize time, I assume that the principle of enlightened self-interest wears the crown and wields the scepter in the modern counting-houses and factories. It is the Egeria reverentially consulted by keen-minded merchant and



alert manufacturer. The school has laid bare the motive of industrial and commercial ambition. Shall, under its recognized dominancy, child labor be tolerated? Has the premature employment of children in mine and mill, in shop and on the stage, the credentials of approval by the school's own central criterion? Shall self-interest not prompt the employer of labor to close the door of foundry and factory against children?

Profit and loss, let us concede, are the final determinants of the soundness or the reverse of a commercial policy. Vulgarly phrased, men are not in business for their health. Is child labor profitable?

But little reflection will disclose that it is not. In the equation of modern industrial and commercial success, economy in time as well as in material is a dominant factor. Work to be profitable must be intense, and the degree of intensity must never be allowed to decline. This is due to the extent in which specialization has been carried out in the organizing of effort under the principle of division of labor. The colossal appetite of our steam-driven machinery must not be left unfed for the smallest particle of time. If it is, waste ensues, and waste spells loss. The investment represented by the steam engine, the consumption of fuel, the labor required for its care and supervision, depends for its profits upon the alertness with which the working force engaged upon production responds and maintains the tempo of activity. Boys and girls with undeveloped bodily frames are physically incapacitated from keeping up with the pace of productivity set as required by even the minimum of profitableness in the organization and machinery of a modern mill or mine. Their presence interferes with the speed and intensity of application on the part of adult laborers. Though nominally the wage account would seem when superficially examined to favor the employment of child labor on the score of its greater cheapness, when all the factors are considered the result bears an altogether different aspect. It is saving at the spigot and wasting at the bung. Coal, care of machinery, rent of structure, investment represented by the plant, cost of administration, insurance, and so forth, all enter into the computed cost of labor. The difference between the wage of the child and that paid an adult does by no means cover and balance the difference in profitableness between adult and child work. Grown persons by maintaining the required degree of intensity reduce the

proportionate expense in fuel, machinery, rent, administration, to a point where profit is probable. Child labor will not accomplish this. The original cost of child labor is always higher than that of adult labor. Enlightened self-interest advises the elimination of the child from factory and mine.

Mentally the child is incompetent to sustain the required tension of interest without which co-operative labor is rendered almost impossible. The child mind cannot be attentive as long as that of the adult. It easily wearies; it is under constant temptation of distraction. Play is the child's natural privilege. One cannot expel nature—as a well-known Latin adage has it. Forced out of one door, the child nature will re-enter by another. The child workers will play. To maintain discipline among them is a task of exceedingly great difficulty. Still, without discipline profitable co-operation in our highly specialized system of production or distribution is impossible. Cash boys and cash girls in our mammoth department stores are for this reason not merely a source of irritation to managers and patrons alike, they are also a source of avoidable loss. The work they do could be done much more efficiently, under greater freedom from vexatious delays and errors, by a force of adults not half as numerous and therefore doubly as economic.

Again, under child labor waste of material must be expected. Labor to be profitable must be intelligent. Intelligence will pay in the end, though the first purchase price may be higher than is that for stupidity and inexperience. The child cannot be expected to be as intelligent as the adult. It is not as careful of the tools, nor as cautious in the handling of the material. It allows much to go to waste which the adult laborer always saves and turns to good account. Wise employers have begun to realize these drawbacks inherent in child labor. The number of them that plead for the privilege of employing children on the ground of the profitableness of their labor is becoming smaller every year where wise legislation has under compulsion demonstrated, as it always will, the reverse.

The opposition to restriction by the state now pretends or believes itself to be actuated by motives of social benevolence. Child labor, though not altogether profitable to the employer, is said to be advantageous to society, in as much as it enables many a family to keep together and in economic independence that otherwise would drift apart or, at all events, lapse into social dependency. That this

assumption is fallacious is not in great doubt. Child labor in competition with the labor of the parents necessarily tends to reduce the economic value of the latter. The family is not even economically profited by forcing the young prematurely into the mills and mines. If I dared venture into the moral bearings of this part of the subject, I should insist with good reason that nothing tends toward disrupting and undermining the family so perniciously as the premature economic independence of its immature members. Were even the economic fallacy not to be considered, according to which the wage of the father and mother is not affected by the labor of the child in competition with the parents this element of danger might indeed give the defenders of unrestricted liberty for exploiting child-life some pause. At all events there is one aspect that should appeal to the far-sighted enlightened employer. The employer is, or should be, a taxpayer. The tax rate is also a factor in the financial equation of his ventures. Present abuse of children, the denial to children of the opportunity to develop physically, mentally and morally, must affect the physical status and the mental and moral condition of the adults to-morrow.

Intemperance and crime make heavy drafts on the exchequer of organized society or government. But what is in most cases the producing microbe of intemperance? Is it not disordered nerves? Crime, again, has come to be known as depending upon physical conditions of body and mind. Exhaustion of childhood engenders disorder in young manhood and womanhood, which produces intemperance and all its consequent evils, and in many cases in parents the propensity to criminal and immoral indulgences. In consequence jails and insane asylums, houses of refuge for the fallen, penitentiaries must multiply. Their maintenance falls heavily on the taxpayer. This item in the ledger emphasizes the unprofitable character of child labor. Idleness in young years is not as prolific of immoral and criminal leanings as is premature employment. I have suggested the baneful effect on the nerves of the young. Who will dispute the equally pernicious influence on their morals by the surroundings in the factory or the department store? Who will deny that premature consciousness of earning capacity must foster a spirit of insubordination to parental authority? All these are elements that have made for the spread of moral contagion, which in turn is an item of expense in the budget of our municipalities and

counties, ultimately assessed on the employer. Let the young attend school, let the schools be centres of rational preparation for life, keep the youth of the land out of the mills, the mines, the shops, and you will keep them later out of the dance halls, the saloons, the brothels, the jails and the penitentiaries. Give us compulsory education in conjunction with restrictions on child labor, and child saving by means of police magistrates and reformatories will soon disappear. The adult drunkards and thieves and prostitutes will become fewer, and the tax rate decrease proportionately. Let us not forget that for the welfare of society, the promotion of greater reverence for parental authority and family affection is of prime importance. Yet the factory that lures the child away from home and school, and creates in its mind the impression of economic independence from parents by turning it into a bread-winner, cannot but exert an influence fatal to home affections and virtues, and as an unintentional, but effective, enemy of family ties open the floodgates to streams of corruption, menacing the health of the nation as well as the happiness of its fathers and mothers and sons and daughters. Patriotism which looks to the preservation of school and home always pays by reducing the expense account for police and penitentiaries.

And so does *justice* always pay, and therefore ought to appeal to enlightened egotism. Bitterness of social conflict and contrast is wasteful. Whatever promises to eliminate distrust and rankling sense of injustice from the relations of man to man, of employers and employees, has a financial value. It helps to increase profits. Social war and social armed truce are expensive. Abandonment of child labor cannot but make for increase of social peace. This bitterness, at all events, is removed which now must possess the child laborer's and his parents' hearts. The sons and daughters of the more fortunate classes attend school. They may play in the hours of relaxation. The children of the masses are deprived of the opportunity to become educated, to cultivate mind and soul; they are robbed of the golden smiles of innocent play and pastime. No wonder that they doubt that justice is inherent in the order of things; no wonder that they rebel against a fate which robs their children of childhood and thereby also of their full manhood and womanhood.

For that is the bitterest of all injustices that despoiled childhood invokes robbery of adolescence and virility, and strength and beauty.

the promises of later years. This is certainly not compensated for by the wage paid the child. Granted for argument's sake the employer pays the child for its present time and effort, in what way does he compensate it for the loss of its future health, happiness, vigor of body, mind and soul? He does not. He cannot. Thus he receives what he does not pay for. He is unjust. Of this injustice the laborer complains. Its toleration is one of the accusations which he lays against the prevailing social order. He feels that upon him is laid a burden which he should not carry. Laws against child labor will lift that burden. They will thus make for increase in confidence, for greater social goodwill. They will thus help to make economic labor profitable to both employer and employee.

Another consideration enlightened self-interest should lay near the mind of employers. Employers need "hands." Where are they to come from if children are prematurely exploited? The children of to-day ought to be the fathers and mothers of to-morrow. But they cannot be if they are devitalized in their childhood. And that is their fate where they are immolated on the altar of greed's Moloch. As yet immigration has not opened the eyes of many to this serious phase of the matter. But let Europe cease sending us its surplus or its scum, its energy and its misery, the short-sightedness of a policy which abuses the root and thus forestalls the growth of branches will become apparent at once. Our barren timber-robbed mountain crests monument a similar folly, but in a domain infinitely less determinative of human happiness and individual and national prosperity than that in which men and women are at stake. Deprive the children of to-day of to-morrow's strong manhood and womanhood and the employers will be deprived of strong men and women for to-morrow, and the day after. The sons and daughters of enfeebled men and women will be so stunted intellectually and so stunted physically as to be but poor substitutes for the sturdier men and women who worked yesterday.

We must have strong children to have strong men and women. I repeat, this aspect of the case is not so readily recognized in this country as perhaps it would be elsewhere. The kindness of foreign lands—among others, the Czar of Russia—contrives to send across the sea every year thousands of people to feed the Moloch in sweatshop, mill and mine. This readiness in foreign quarters to supply the American market with so many "hands" is greatly



to be deplored. I for one hope the day is not far distant when they will realize that it is better for them to keep at home both their Jewish and non-Christian "hands." We are facing a stupendous difficulty in the problem of immigration. But this vast stream of immigration of cheap labor will decrease—must be exhausted; and we shall then have to face the question: "Where will the men and women come from if we exhaust our children and despoil them of their divine right to future vigorous manhood and womanhood?"

As the speakers before me have quoted words of Him who certainly spoke truth out of the fullness of a loving heart, in accents that have but rarely failed to touch the souls of those who strive for right and justice, I may perhaps be pardoned in bringing my words to a close with a parable from His teachers, the rabbis of old.

In the Talmud we are told that when Moses was to receive the Law from God for his people, the Almighty demanded hostage. Moses offered first the patriarchs, saying: "We are descendants of Isaac and Abraham, are we not worthy of the Law Divine?" But the Almighty refused to receive from them hostage. Then Moses offered the prophets, saying: "We have certainly produced great men. Are we not worthy of the Law Divine?" But the Almighty rejected these, also, as insufficient security. Then Moses presented the children of his people, and thereupon God granted him the Law.

The sense of this parable is plain. No nation can live on its past. The crown of America is certainly studded with precious gems—the great deeds and the great valor of the generations that were, whose children we are. But the past is not sufficient. No nation can live on the past alone, nor on its illustrious patriots, though its great men are proofs of its vitality. And America has produced great men, men of great thoughts, of deep purposes, who sang and spoke in tones that might stir the world to its best. But the nation that has produced these great men certainly must not construe this production into a right now to forget its duty to humanity. The nation which loves children and allows its children to grow up as children should, with minds trained, souls purified, and bodies kept in vigor—children that are protected in their childhood—under their parents' authority and made to know what respect and obedience imply, that nation receives from God the Law of Life: that nation will endure.

## THE SCHOOL AS A FORCE ARRAYED AGAINST CHILD LABOR

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The list of the social forces that are arrayed against child labor, as presented on the program of the annual meeting of the National Child Labor Committee seems so overwhelming as to lead us to suppose that the duration of this evil must be but brief. Yet, when we remember the universality of greed, the persistence of poverty, and the helplessness of childhood, we realize that this fight will not be so speedily won and that we have need of every force that can be utilized for the conflict.

If ever we, as Americans, lose enthusiasm with regard to the form of our government and its administration, it is when we see the slowness of the steps by which educational and moral reforms are secured, the difficulties in the way of securing legislation that has the universal approval of men of thought, and when we further consider the unsatisfactory administration of such laws as have been enacted. It is impossible, under our form of government, to secure by one enactment such legislation as seems necessary for the protection of our children. As the chairman of our meeting has indicated, it is not our hope to secure federal legislation on this matter; we realize that we must plead our cause not before one tribunal, but before half a hundred. In Germany it was possible for Bismarck to bring together the distracted units of Germany; one Cavour made possible a united Italy; but in America we must rally a multitude of leaders before we can bring about a reform of any kind. We therefore appeal to public opinion. We are organized to influence public opinion; we desire to present our claims to the thoughtful men and women of this country, and through them we hope to secure in every state such legislation as we believe necessary.

Within past years we have traveled far in our ideas of the state. We no longer believe that government to be best that governs least. We no longer believe in the state whose seal of authority is the badge of the policeman, whose temples are its jails and penitentiaries, whose sole duties are to protect life and property, and secure the enforcement of the commandments, "Thou shalt not kill" and "Thou shalt not steal." We realize that a government has no higher duty, at certain times, than the preservation of its own existence by whatever force may be necessary to make secure that existence; but we believe it is the duty of the state to guard its higher life as well as its lower life, and that, in guarding its higher life, there are some things better than armies and navies, and that school-houses and churches and books are no less necessary instrumentalities for national existence than gunpowder and dynamite. Representing, therefore, the school, we represent our nation and the country's government—for the school is the state, after all, in its parental capacity. We believe in popular education, in universal education. We do not claim that this is a panacea for all ills or a remedy for all wrongs. We do not expect to see all men made wise, or just, or good. We realize that with the best we can do there will be some failures in life. On every sea some barks must go down. But we take the position that an opportunity must be given to everyone, and that every child must have the privilege of working out his own life, of developing the best that is in him—and therefore we believe that every child must have the chance of an education. We are opposed to child labor because it shuts out that opportunity, and makes education impossible.

Therefore no legislation on this subject can be satisfactory if it ignores the educational requirements of the child. The demand for an age limit in child labor is justified by hygienic laws, but a deeper philosophy lies underneath such enactments. Our problem is not merely to keep the child under sixteen out of the factory or mine, but to keep the child at work in school. The factory is better than the slums; it may be that the factory is a better place than the home, but it is never better than the school; and it is just where parental obligation has failed, just where the home has disappeared from the life of the child, that the school must step in as another home and the teacher must take the place of the parent who has deserted his charge. The school must provide for that child a new

opportunity, a new life. It is by no means sufficient to have an enactment saying the child must be able to read and write before being allowed to go to work in the factory or mine. It is not unnatural for such a child, after he has gone to work, to forget all that he has learned and to drift back into the class of hopelessly illiterate. Reading and writing is a very small requirement, when it stands as an educational test between childhood that must be protected and manhood that should look after itself; and yet, in every state in the Union, I suppose, there are children at work under the age of sixteen who can neither read nor write.

The United States Department of Commerce and Labor last year issued a bulletin making a special study of 1,381 children at work in thirteen different states. In ten out of these thirteen states there were found children at work who were unable to read and write. Mind you, taking only that small group of states,—and they were not selected especially to hunt illiteracy,—in ten of them there were found children that were wholly illiterate—and New York was one of them. Examining the statistics further to see whether there were children at work who had never been to school, it was found that there were some, likewise in ten out of the thirteen states, who had never been to school before entering upon work; while there were also a number of children who had attended for only one or two years. I must acknowledge with regret that of the states whose record was shown up in that examination four of the thirteen belonged to the South, viz.: North Carolina, South Carolina, Georgia and Alabama. There were 341 children that fell to those four Southern States. Of that number 146 were wholly illiterate, 57 had never attended school, while 198 others had attended for less than three years. That means only about fifteen months of school attendance in all, for the average term in these states is only about half an ordinary school year. It is unnecessary to remind you that a child can learn but little at school in one year of five months. It takes a good many of those terms to give enough information to become a permanent asset, a permanent part of the child's character. The little knowledge gained in that short time at school passes away in a few years after the child has left the school, and such children are destined to be entirely illiterate after spending a few years at work in the factory.

But the Southerners are not sinners above all. Let me remind

you of one of our pamphlets containing information obtained by the Pennsylvania Child Labor Committee, which shows that in the city of Philadelphia alone there are 16,000 children under the age of thirteen who are not in school, although the law says they shall be there. These children are at home waiting until they are old enough to secure work, or at work with certificates that are falsified, or perhaps, even, without certificates.

From the standpoint of the school we urge three contentions in our consideration of this subject:

I. We contend that there should be always a definite educational requirement in every child labor law. The mere establishment of an age limit is insufficient, and the requirement that the child shall be able to read and write is pitifully small. A law requiring that the child shall attend some school while at work is some improvement, but is open also to very serious objection, and in practical operation is seldom found satisfactory. A child cannot work in a factory six or eight hours a day and do intellectual work at night; and a law permitting children to work during the vacation period puts a premium on long vacations and short school terms.

II. The second principle for which we contend is that those who are interested in the education of the child shall have some voice in the execution of the law that guards that education. The making out of certificates should not be placed in the hands of notaries who are to get their fees for this operation, nor should such certificates be made out on the unsupported affidavit of parents, who may be unscrupulous in their desire to secure gain from the child's labor; but the responsibility should be placed in the hands of the men and women who are interested in the child and in its education.

III. The third point I would make is a plea for better schools and more of them. I speak on that point as a Southern man. Of all our problems, that is the problem that is most far-reaching.

We have another problem called peculiarly the Southern problem, but in my opinion the race question is not so universal a problem nor so serious a menace to our general prosperity as is the distressing fact of illiteracy and our insufficient educational opportunities. There are many living in the South who know little of any race problem through personal experience. There are many communities where peace and good will reigns and the two races are living side by side working out their tasks with mutual sympathy, for-



bearance, and friendship. But there is no State in the South, no community that is not struggling with the problem of providing better educational facilities.

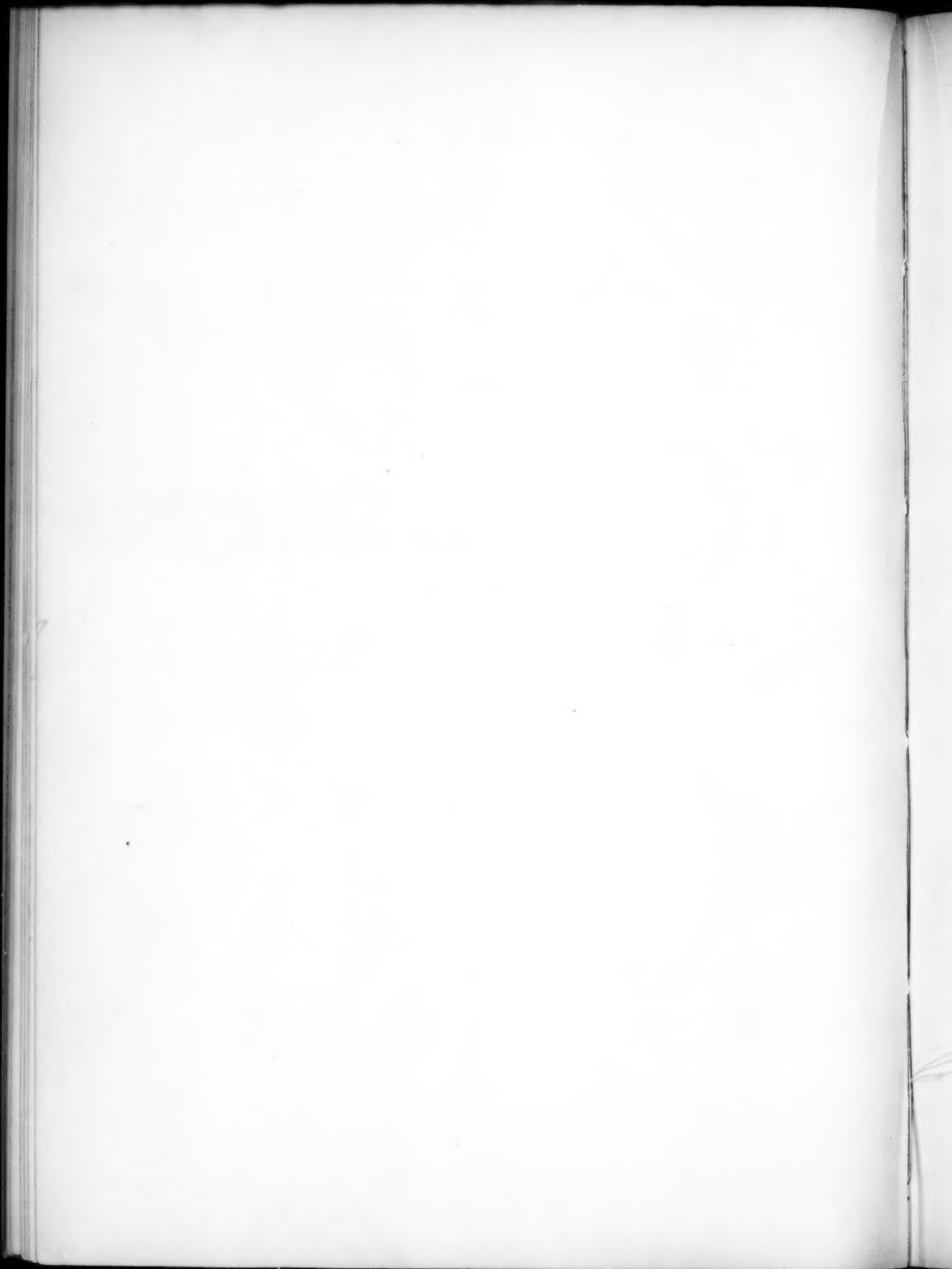
We of the South are grateful for the co-operation and sympathy that has been extended to us by other sections in working out this problem. In such a task men are brought close together. The bitterness of former differences will be most quickly forgotten by those working together in a great and holy enterprise. The founder of the institution with which I am connected—himself a citizen of this city—in writing about its mission used these significant words:

"If Vanderbilt University shall, through its influence, contribute, even in a small degree, to strengthening the ties which should exist between all geographical sections of our common country, I shall feel that it has accomplished one of the objects that led me to take an interest in it."

In that feeling of common interest and in that spirit of sacred enterprise all sections of our country must unite to promote the work of education and to repress the evils of child labor. This is a task neither for sect nor section. The cause of childhood is the cause of humanity. We lay, therefore, on the nation's heart the burden of American childhood,—ignorant and helpless to-day, but of infinite possibilities for to-morrow.

**II. Proceedings of the Annual Meeting of the  
National Child Labor Committee**

**Held in the City of New York February 14-16, 1905**



PROCEEDINGS OF THE ANNUAL MEETING OF THE  
NATIONAL CHILD LABOR COMMITTEE

*Held in the City of New York, February 14-16, 1905.*

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BY SAMUEL McCUNE LINDSAY, PH. D., Professor of Sociology in the University of Pennsylvania and Secretary of the National Child Labor Committee.

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The National Child Labor Committee was organized in New York City April 15, 1904, as the outcome of a well-considered effort to nationalize the anti-child labor movement on the part of the late William H. Baldwin, Jr., Edgar Gardner Murphy, Felix Adler and Mrs Florence Kelley, all of whom had been active in work of a similar character along state and local lines. Mr. Murphy had secured some legislation after a long and difficult struggle in the state of Alabama, and in the course of that struggle had become convinced that the problem was a national one rather than a state or sectional question. The persons referred to invited a number of representative citizens from different parts of the country to unite with them in the formation of a National Committee, with headquarters in New York City. The committee, therefore, is a self-constituted and self-perpetuating body, and up to the present time an unincorporated society, whose program is partially embodied in the following official statement of objects:

*Objects.*

To promote the welfare of society, with respect to the employment of children in gainful occupations.

To investigate and report the facts concerning child labor.

To raise the standard of public opinion and parental responsibility with respect to the employment of children.

To assist in protecting children by suitable legislation against premature or otherwise injurious employment, and thus to aid in securing for them an opportunity for elementary education and

physical development sufficient for the demands of citizenship and the requirements of industrial efficiency.

To aid in promoting the enforcement of laws relating to child labor.

To co-ordinate, unify and supplement the work of state or local child labor committees, and encourage the formation of such committees where they do not exist.

The committee at the present time is composed of the following members:

- MISS JANE ADDAMS, Hull House, Chicago, Ill.  
 FELIX ADLER, New York City. Leader of the Society for Ethical Culture; Professor of Political and Social Ethics, Columbia University.  
 REV. JOHN G. ANDERSON, Tampa, Fla.  
 REV. NEAL L. ANDERSON, Montgomery, Ala. Member of Alabama Child Labor Committee.  
 MRS. EMMONS BLAINE, Chicago, Ill. Member of Chicago City Homes Association.  
 JOHN GRAHAM BROOKS, Cambridge, Mass. President of American Social Science Association and of National Consumers' League.  
 A. J. CASSATT, Haverford, Pa. President of the Pennsylvania Railroad.  
 EDGAR E. CLARK, Cedar Rapids, Iowa. Grand Chief Conductor, Order of Railway Conductors of America; member of the National Anthracite Coal Commission.  
 HON. GROVER CLEVELAND, Princeton, N. J. Ex-President of the United States.  
 HON. ROBERT W. DE FOREST, New York City. President Charity Organization Society of the City of New York; Chairman New York State Tenement House Commission of 1900; First Tenement House Commissioner of the City of New York, 1902-03; Vice-President Central Railroad of New Jersey; Attorney-at-Law.  
 EDWARD T. DEVINE, New York City. General Secretary, Charity Organization Society of the City of New York; editor of *Charities*, and director New York School of Philanthropy; Professor of Social Work in Columbia University.  
 MRS. SARAH S. PLATT DECKER, Denver, Col. President General Federation of Women's Clubs.  
 CHARLES W. ELIOT, Cambridge, Mass. President, Harvard University.  
 ARTHUR F. ESTABROOK, Boston, Mass. Banker.  
 HON. N. B. FEAGIN, Birmingham, Ala. Judge in the City Court; Leader in Penal and Humanitarian Reform.  
 HON. HOMER FOLKS, New York City. Secretary State Charities Aid Association; formerly Commissioner of Public Charities of New York City.  
 HUGH F. FOX, Plainfield, N. J. President New Jersey Children's Protective Alliance.



- EDWARD W. FROST, Milwaukee, Wis. Attorney-at-law; President Children's Betterment League.
- HIS EMINENCE JAMES CARDINAL GIBBONS, Baltimore, Md.
- RT. REV. DAVID H. GREER, New York City. Bishop Coadjutor, Episcopal Diocese of New York.
- HON. J. B. GASTON, Montgomery, Ala. Member of Alabama Child Labor Committee.
- WILLIAM E. HARMON, New York City. Real Estate broker.
- HON. CLARK HOWELL, Atlanta, Ga. Editor of *Atlanta Constitution*.
- ROBERT HUNTER, New York City. Chairman, New York Child Labor Committee.
- JOHN S. HUYLER, New York City. President of Huyler's.
- MRS. FLORENCE KELLEY, New York City. Secretary of National Consumers' League.
- JAMES H. KIRKLAND, Nashville, Tenn. Chancellor of Vanderbilt University.
- HON. BEN B. LINDSEY, Denver, Col. Judge of Juvenile Court.
- STANLEY McCORMICK, Chicago, Ill. Comptroller, International Harvester Co.
- V. EVERIT MACY, New York City. Treasurer, People's Institute; Member of the University Settlement Society; Trustee of Teachers' College.
- HON. BEVERLEY B. MUMFORD, Richmond, Va. State Senator.
- EDGAR GARDNER MURPHY, New York City. Secretary Southern Education Board; Chairman, Alabama Child Labor Committee.
- ADOLPH S. OCHS, New York City. Publisher of *New York Times*, *Philadelphia Public Ledger* and *Chattanooga Times*.
- GIFFORD PINCHOT, Washington, D.C. Forester, U. S. Department of Agriculture.
- ISAAC N. SELIGMAN, New York City. Banker.
- HON. HOKE SMITH, Atlanta, Ga. Attorney-at-law; Ex-Secretary of Interior.
- SAMUEL SPENCER, New York. President Southern Railway.
- J. W. SULLIVAN, New York City. Typographical Union.
- GRAHAM TAYLOR, Chicago, Ill. Warden, Chicago Commons; Editor, *The Commons*.
- HON. BENJAMIN R. TILLMAN, Trenton, S. C. United States Senator.
- PAUL M. WARBURG, New York City. Banker.
- MISS LILLIAN D. WALD, New York City. Founder and head worker Henry Street Settlement (Nurses' Settlement).
- TALCOTT WILLIAMS, Philadelphia, Pa.
- REV. C. B. WILMER, Atlanta, Ga. Secretary, Georgia Child Labor Committee.
- JOHN W. WOOD, New York City. Corresponding Secretary, Domestic and Foreign Missionary Society of the Episcopal Church.

Some time was necessary to perfect the plans for organization. Executive officers were not elected and headquarters opened until July 19, 1904, and effective work was actually begun in September, 1904. It was felt, however, that the wide scope of the work before the committee required the early assembling of the entire committee in New York city, and in connection with such a meeting it

was determined to hold the first annual meeting and to make this the occasion for a general survey of the field of work upon which the committee had entered. The program arranged for the three sessions was as follows:

*First Session.*

Tuesday, February 14, 8 p. m., Assembly Hall, United Charities Building, Fourth Avenue and Twenty-second Street.

Presiding officer, Dr. Felix Adler, chairman of the National Child Labor Committee.

General Topic: "The Forces Arrayed Against Child Labor and their Better Utilization."

1. Letters read from Cardinal Gibbons and others.
2. Opening remarks by the presiding officer.
3. "The Church," Right Rev. William N. McVickar, D. D., Bishop of Rhode Island.
4. "The School," James H. Kirkland, Chancellor, Vanderbilt University, Nashville, Tenn.
5. "Organized Labor," Edgar E. Clark, Grand Chief Conductor of the Order of Railway Conductors, Cedar Rapids, Ia.
6. "Employers of Labor," Rev. Dr. Emil G. Hirsch, Professor of Rabbinical Literature in the University of Chicago, Chicago, Ill.
7. Concluding remarks by the chairman.

*Second Session.*

Wednesday, February 15, 3 p. m., Assembly Hall, United Charities Building.

Presiding officer, Homer Folks, vice-chairman of the National Child Labor Committee.

General topic: "Review of Legislation on Child Labor, Methods of Enforcement and Present Problems in the Several States and Territories."

1. Opening remarks by the presiding officer.
2. "The Test of Effective Legislation," Owen R. Lovejoy, assistant secretary of the National Committee.
3. "Legislation and Methods in the Western States," Judge Ben B. Lindsey, Juvenile Court, Denver, Col.
4. "Legislation and Methods in the Northern Central States," Hon. Halford Erickson, Commissioner of Labor, Wisconsin.
5. "Legislation and Methods in the New England and Middle

States," Mrs. Florence Kelley, secretary of National Consumers' League.

6. "Legislation and Methods in the Southern States," Rev. Neal L. Anderson, Montgomery, Ala.

7. "Some Physiological Reasons Why the Premature Employment of Children Under Modern Industrial Conditions is a Menace to the Race," Dr. L. Emmett Holt, New York City.

8. "The Work of Women's Clubs in Securing Child Labor Legislation," Mrs. A. O. Granger, Cartersville, Ga., chairman, Child Labor Committee, General Federation of Women's Clubs.

9. "What the State Owes the Child," Samuel McCune Lindsay, secretary of the National Committee.

*Third Session.*

Thursday, February 16, 8 p. m., Cooper Union, Fourth Avenue and Eighth Street.

Presiding officer, Dr. Felix Adler, chairman of the National Committee.

General topic: "The Need of Protective Legislation for Working Children."

1. "The Evils of Child Labor," Felix Adler, chairman of the National Committee.

2. "The Child Labor Situation in Southern Industry," A. J. McKelway, Charlotte, N. C., assistant secretary of the National Committee.

3. "Child Labor Legislation, a Requisite for Industrial Efficiency," Jane Addams, Hull House, Chicago.

This program was carried out almost to the letter. Unfortunately Dr. Felix Adler, the chairman of the committee, was prevented from being present, and the first meeting was opened by remarks from the secretary, who took the chair and spoke in part as follows:

LADIES AND GENTLEMEN: It is a very serious responsibility that has fallen to the lot of the secretary of the committee in taking the chair at the opening of the first annual meeting of our National Committee, and I am sure it is a source of great regret to us all, as it is to the chairman himself, that Dr. Adler cannot be with us. He is confined to the house through illness, and I know that his disappointment is doubly great because he has looked forward with so

much enthusiasm and interest to this meeting. All of you know Dr. Adler personally, and know what moral earnestness he puts into any work he undertakes. We cannot overestimate the rare skill and the great enthusiasm he brings to our cause. You will understand how carefully he has planned and with what thought he has worked to make successful this, our first annual gathering in order to push forward the great work which our committee has undertaken. I am very sure that I cannot in any sense undertake to fill his place on this occasion; but I can, perhaps, take the program as outlined here and present to you the list of the speakers.

The assistant secretary, Mr. Lovejoy, will read a few of the letters which we have received within the past few days from prominent persons in all parts of the country, indicating the widespread support and intense interest which is being given to the child labor discussion. There are special reasons why we should take time on this program to read a few from among many such letters, and I will ask Mr. Lovejoy to read one from Cardinal Gibbons, one from Mr. Edgar E. Clark, the Grand Chief Conductor of the Order of Railway Conductors of America; a telegram from the Chief Factory Inspector of Pennsylvania, Captain Delaney; and another from a prominent lawyer.

MR. LOVEJOY:

*Secretary's Office, Cardinal's Residence, 408 Charles Street.*  
BALTIMORE, Md., February 12, 1905.

MR. SAMUEL McCUNE LINDSAY.

*Dear Sir:* I regret that I cannot attend the annual meeting of the National Child Labor Committee in New York next Tuesday night. I shall then be on my way to keep an engagement in Cincinnati.

I beg to assure you, however, that I am in accord with the purposes of this meeting. I shall be glad to endorse any adequate and just means that you may see fit to adopt to prevent the employment of children at an age when they need the home and school for their proper development physically, socially and morally.

If some course can be adopted whereby the fathers of large families may be enabled to provide for the wants of their growing children without feeling the necessity of turning their little ones into the shops as bread-winners, I think a good step will have been taken to prepare the way for laws prohibitive of child labor.

Wishing you all success in your deliberations, I beg to remain

Faithfully yours,

(Signed) J. CARDINAL GIBBONS.

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*Order of Railway Conductors of America.*

CEDAR RAPIDS, Ia., Feb. 10, 1905.

SAMUEL M. LINDSAY, Secretary National Child Labor Committee, 105 East Twenty-second Street, New York City.

*Dear Sir:* Confirming my telegram of even date herewith, I regret to be obliged to say that imperative business matters render it impossible for me to attend your meetings of the 14th, 15th and 16th and the dinner on the evening of February 15th, to which I have been kindly invited. I regret my inability to be present. I should be deeply interested in the discussions which will be presented on this all-important subject. I hail with delight the organization of this National Committee because I believe that it is the right step in the direction of methodical and effective work. Much has been done in a sort of spasmodic way. Organized labor, wherever it has got on its feet with sufficient security to permit of its giving thought to any subject aside from its own immediate struggle for existence, has raised its voice in opposition to child labor. This is not, as some charge, indicative of selfishness or desire to promote self-interest on the part of the working men. Organization among working men is a cropping out of that hope for better things which is ever present and is evidence of a desire on the part of working men to see their loved ones enjoy the fullest possible and a reasonable measure of the comforts of life, and their interest in the subject of child labor is a reflection of their desire to have their children, in turn, enjoy better conditions of health and life and work than they enjoy themselves.

Child labor, as practiced in many places, especially where the largest numbers of children are employed, is the mortgaging beyond redemption of the health and the moral and physical welfare of generations yet unborn. I look for far-reaching and great good to come from this organized and systematized effort to reasonably regulate the employment of children, and shall be glad at all times to do what little may be within my power to do to assist in that work.

Yours very truly,

(Signed) EDGAR E. CLARK, *Grand Chief Conductor.*

HARRISBURG, Pa., February 14, 1905.

DR. FELIX ADLER, Assembly Hall, United Charities Building, Fourth Avenue and Twenty-second Street, New York.

Regret my inability to be with you to-night. Am pressing for new legislation before the present legislature, which, if passed, will enable this department to more rapidly improve conditions of working children. In two years we have dismissed from factories and workshops and sent to the schools nearly four thousand children. Our whole heart is enlisted in the cause, and we will, if spared, place Pennsylvania at head of column of states against the cruel evil of child labor. Your own splendid work is aiding us greatly. God bless you for it.

J. C. DELANEY, *Chief Factory Inspector.*



*J. H. Ralston, F. L. Siddons, H. T. Newcomb.*  
*Ralston & Siddons,*  
*Attorneys and Counsellors at Law.*

WASHINGTON, D. C., February 13, 1905.

DR. SAMUEL McCUNE LINDSAY, Secretary National Child Labor Committee,  
105 East Twenty-second Street, New York City.

*My Dear Mr. Lindsay:* I have just received an invitation to attend the first annual meeting of the National Child Labor Committee, and do not wish to let it go without saying that if my engagements here were not quite imperative I should attend the meeting. There is no exercise of the police power of government which seems to me so necessary as that which would protect young children against the invasion of their rights of development, which is certain in any industrial community which does not forbid their working for wages and command school attendance.

With sincere regards, I remain

Very sincerely yours,

(Signed) H. T. NEWCOMB.

THE CHAIRMAN: The last letter to which we have listened has for me a peculiar interest because it comes from an able writer and well-known authority on transportation and railroad problems, one who has given expert service to the government, is a trained economist, and I think I may add, a democrat of the old school, who looks with apprehension upon any extension of governmental activity and even upon undue exercise of the police power of government. Please note that he says: "There is no exercise of the police power of government which seems to me so necessary as that which would protect young children against the invasion of their rights of development."

The National Child Labor Committee has been organized but a very short time. The meeting for the purpose of organization was held in New York City last April, and several months elapsed before an executive office could be established and the machinery for practical work set in motion. Therefore we have been at work practically only three or four months, gathering data from all parts of the country, collecting literature and information concerning the laws, the economic and industrial conditions together with the sentiment prevailing in the different communities with respect to the protection of children.

The National Committee stands sponsor for the interest of 29,000,000 children—there being that many under sixteen years of age in the United States,—all in need of protection for their proper

development, educationally, industrially, morally and physically. The committee, in a measure, stands for those progressive movements which undertake to look after and voice the interests of this great part of our population. The committee was not organized with the intention of supplanting or taking the place of the local efforts made in the various parts of the country to do this work, but rather to co-operate with and to strengthen the hands of the bodies organized for this work, or those making this a special feature of the work of their organization. Women's clubs throughout the country have taken this matter up through various organizations and through their national organization; and the head of the General Federation of Women's Clubs, Mrs. Sarah S. Platt Decker, of Denver, a member of the National Committee, expected to be here at this meeting, but was unavoidably detained at the last moment. The Consumers' Leagues have undertaken this as a definite part of their work; in fact, it was through their efforts that marked interest in this cause was aroused throughout the country; and the National Consumers' League, the efficient secretary of which, Mrs. Florence Kelley, a member of this committee, has done a very great deal toward making our work practical. Our committee has not been organized to take the place of any other existing committee or any other organizations established for securing more adequate laws or better enforcement of existing legislation; nor was it organized for the purpose of securing national legislation, for we are far removed from the point where we can deal with this matter legislatively in a national way. Our chief purpose is to develop a national sentiment for the protection of children and to make the power of public sentiment felt in all localities, to raise the standard gradually in the different communities, and to have a standard established where none exists at present; to meet industrial and economic conditions in this country in the way acknowledged as best by those who know those conditions best. Therefore, if we keep these two thoughts in mind, any reasonable opposition to the work of this committee may be met—and I am glad to say no such opposition has been expressed. On the contrary, on all sides, from all parts of the country we have been favored with the most enthusiastic endorsement of our work. That it will be an arduous work, requiring time, patience and skill, we shall realize more and more at this meeting as the representatives of the various

factors arrayed against the evils of child labor tell us about the conditions existing in their particular fields.

The first speaker on the program to-night comes from a state not selected for its size nor yet for the particularly high standard which it maintains in the matter of child labor legislation. However, I am glad to say that powerful influences are at work in that state—and of these influences the speaker at this meeting is a leader—to introduce a higher standard. A bill is now pending before the legislature which we hope will succeed in placing Rhode Island on a par with the best legislation in this matter in New England, if not in the country. While our speaker was not chosen because of the size of the state which he represents, we did not choose a small man. We chose a man whose mind is as large as his body and whose heart is larger than both, and whose voice is raised in every good cause that makes for righteousness, fair dealing, and earnest endeavor—a man who needs no introduction to this audience, and I have great pleasure in presenting Bishop McVickar, who will now address us on the subject of “The Church and Child Labor.”

BISHOP McVICKAR:

Rhode Island is not the largest state in the Union, but as in the past Rhode Island has its part to play, and it has always played its part well in all the great struggles through which our country has passed. It holds to its tradition.

I am glad to be here with you to-night, for although I feel the responsibility, I hail the opportunity of representing God's Church as well as Rhode Island in the matter which we have in hand. And I am glad that the Church should be placed in the very forefront, as the follower of Him who once called a little child unto Him and set him in the midst of His disciples, bidding them remember that whoso should offend one of these little ones, it were better for him that a millstone were hanged about his neck and that he were drowned in the depth of the sea. And since that day the Church has stood in the very front rank in defense of childhood, as of all other dependent ones. And I am glad therefore that the Church should be associated, as it is on this program, with all other noble forces for good; and, first of all, side by side with the school. The great function of the Church, as set forth by its Master, was a teach-

ing function. It was sent to teach—to teach the fundamental principles of right and truth. And I cannot forget that through all those long ages, when darkness seemed to threaten the world, that it was under the protection of the Church that learning as well as right and truth found their home.

I am glad, too, to be associated with organized labor, and only wish that my brother, who is on the program to represent that body, were here to-night, instead of absent. I should like to thank him personally for the part that organized labor has taken against this great evil. Only the other day, when some of us in Rhode Island appeared before the committee of our legislature, to plead for the passage of a bill for the better protection of little children from oppressive labor, one of the noblest pleas, one of the most forcible ones, was made in the name of organized labor by a man who was its true representative.

I am glad, too, to be associated also with one who stands here to-night to represent the employer. We have no quarrel with any class; we have no quarrel with labor; we have no quarrel with capital. It is to the interest of labor that the character of its employment should be raised and its morale be heightened, and it is to the interests of capital that the best sort of labor should be kept in the market and on a high level. We have no trouble with any class, nor with any individual except the one who represents the meanest and most short-sighted greed—for it comes to that at last, and I never realized this more completely than when I listened and heard the various pleas for and against improved legislation for the protection of our children in Rhode Island; and I realized for my brothers who came to speak against the law that we were urging, that they did it with shamed faces, and that in the last analysis even they felt that it was essentially the dollar against childhood.

I shall never forget the first time this problem presented itself to me. I went to visit a mill village in my diocese and there stood up before me a class for "confirmation." As I looked at them it seemed to me that they were very small; rather young for the rite. After the services, when I was with the minister and his family in his own home, I said to him: "Weren't those very young children to be presented?"

He replied: "They were not young. Why do you think so?"

"They looked so small and puny."

Said he: "Ah, but that is not because they are so young, but because they have not had a chance to grow."

And then the wife went on to say that she was the teacher of a Sunday-school class of boys and girls, and among them were those fourteen and fifteen years old who could not read or write, and she added, "how can it be expected that they should?" And then she told me how, in that village, in the early morning, before daylight, the whole family in the house would be up, and after a hasty meal, father, mother, children, each and all of them, would go to the mill and were there until the evening. Then, in order to conform to the requirements of law, as to the education of children, an evening school was conducted where, for two hours, these little children, tired and fagged in mind and body, were gathered and the absurd pretense was made of teaching them something, when their brains were in no condition to take anything in. Then it seemed to me the problem stood before me in all its horrors. I realized the truth of the tales and descriptions that I had heard of the factory system, of the mills and mines, where little children, made to work through the long, weary hours, day or night, soon became haggard, stunted and deformed, and caricatures of age, before they had more than tasted of childhood; old and wasted when they should be fresh with the dews of childhood. It seemed to me, too, that the picture could not be painted in color or form too darkly or too abhorrently. That picture, in all its hideousness, is not to be taken alone from Rhode Island. Rhode Island, while not foremost in its legislation for the protection of children, does not stand entirely in the rear in this matter; and when I speak of Rhode Island, it is simply to illustrate, what in some other places may be found in more aggravated form. Rhode Island has her faults, but she has her virtues, too, and she has her conscience; and her conscience is thoroughly stirred to-day, and we shall hear within the next week of her improved child labor legislation in response to her recently awakened sensibility. She has her problems to meet, but she is going to meet them as she has met her problems in the past. I don't want anybody here, least of all the reporters, to say that I have held up Rhode Island to scorn. Not the largest in extent of territory among the states, she still has a noble history and she will ever be fulfilling that history.

And now, in conclusion, let me say again, that the Church takes her place and raises her voice in this great campaign. The Church



has been misunderstood at times. She has been thought to lag in public movements, when people have tried to gain her influence for some specific cause, and she has refused to come down into the arena of party strife. But we all know that she ever stands for the cause of righteousness; nor only that, but she stands for that "Philanthropy Divine" of which the poet has spoken, which extends its interest over all humanity, and most certainly so in her care of the weak, and of those least able to care for themselves.

The Church does one other thing. She sends into the world men and women, well equipped and inspired with the highest ideals, to do her work in every department of life,—to be better men and women, in business and society, better citizens in the state. That is what the Church does, and I am thankful to say that the Church can be depended upon for that. And it is to Christian citizenship that the matter of child labor makes a strong appeal. What is to become of the state if its future citizens are allowed to be stunted and contorted by unhallowed use, and forced to grow up stupid and illiterate? It has been said by a wise writer that the experiment of democratic government is still in its early stages. Our land has passed through many crises, and God grant that it may pass triumphantly through the crises which still confront it as those of the past! But if the republic is to continue to exist, and to go on and develop, and become all that it is intended to become, its citizenship must be of the highest order. Those from other lands, under different rules, must be enlightened. Our citizenship must be educated, its morale must be high. To-day, the problem that menaces this country—one of its greatest—is as to its ability to assimilate the vast tide of immigration which is inundating our shores unparalleled in all history, whether America can assimilate that great mass, strongly tinctured as it is with ignorance. Shall that ignorance be only added to and darkened by the coming home-born generation?

My friends, I congratulate you upon the wave of awakened feeling which is passing over this country at the present time, awakened only within the last few years, scarcely more, and of which this and like meetings are an abundant indication.

THE CHAIRMAN: I am sure that we all, and particularly those who are connected with the work of our National Committee, realize the necessity of having the moral forces of the community back of

any great movement. What Bishop McVickar has said of this work has been said also by representatives of other branches of the church—Protestant and Catholic and Jewish.

But there is an institution in society to which the obligation to protect childhood has been given over in a special sense—the school, which stands sponsor for the education of the child in all its various departments, from the kindergarten to the university. I think we are especially favored to-night in having for the representative of that institution one who has stood for years as the leader of the higher educational thought of the South, who is in thorough sympathy and accord with the best life and best thought of the South; and I am glad to say that he has consented to come so far to speak to us to-night on the topic of "The School as a Force Arrayed Against the Evils of Child Labor." [Dr. Kirkland's address appears in full in this volume of proceedings.]

We have already heard from organized labor in the letter that Mr. Clark has sent to us, expressing his regret at his inability to be here to-night. I do not think there has been a single discordant note in the reports that have come from organized labor in all parts of the country and in their agreement in their position with respect to the evils of child labor. President Gompers has written very strongly on this subject, representing the American Federation of Labor; John Mitchell, president of the United Mine Workers, has written on several occasions in connection with the work of our committee, endorsing every feature of its propaganda.

In addition to the letter received from Mr. E. E. Clark, which was read at the meeting, Mr. Clark has sent a communication to the committee which he would have presented had he been able to be present and take part personally in the program. His communication on the subject of "The Restriction of Child Labor" sets forth briefly and forcibly the position of organized labor, and is as follows:

The first instance in which any important number of workingmen acted in unison in opposition to wishes or edicts of an employer probably had nothing behind it except a desire and determination to secure relief from some condition which laid upon them a burden that had become intolerable. That such unity of action could be used offensively as well as defensively was not thought of at that

time. The children of Israel, acting in unison, refused longer to make bricks without straw and when Pharaoh provided them with the straw they meekly returned to their work.

Out of such a beginning grew the idea of organized effort among workers to not only defend themselves against oppression but to secure advantages which had been dreamed of by the individual but had been looked upon as impossible of attainment.

The next step in the progress of the movement was a realization on part of the more thoughtful ones of the fact that, in addition to the work of combatting injustice and striving for better conditions for the present day, it was possible to accomplish much of good for the morrow and the days which are to follow the morrow. And so, organized labor has ranged itself alongside of every effort to improve permanently the conditions under which those who earn their bread in the sweat of the brow perform, and are to perform, their labor.

Mistakes have been made by and in the name of organized labor. The same is true of every element or feature that enters, or has entered, into the civilization of the human race, not excepting the Christian religion, but, on the whole, organized labor has contributed in no small degree to the higher standard of civilization which now obtains, and it is steadily increasing its influence for good in direct ratio with its growing intelligence and its intensifying desire to build for the welfare of those that are to come after.

Organized labor has not been impelled by a selfishness of the day and hour when it has sought to have the greatest possible degree of safety thrown around those engaged in hazardous employment; to have sanitary conditions succeed unsanitary ones; to prevent the employment of women at night work or in callings which, from their very nature are destructive of female health, and to prevent as far as is reasonably possible the employment of children in work and under conditions which of themselves cry abroad the heartlessness of commercialism in this day and age.

It is indeed a cheering sign to see an active and organized interest in the subject of child labor on part of men and women, who, having achieved success in their several fields of effort, are willing to give of their influence and their time to this humane and worthy cause. And I have no hesitation about pledging to that effort the most cordial support of organized labor and giving

assurance that the movement will be given all the impetus possible from that source. Organized labor has set its face and its efforts against child labor, and, having laid its hand on the plow, will not turn back.

The workingman, even though he may be uncouth and of rough exterior, feels in his heart the same impulses of love for helpmeet and offspring that are felt by the more polished and refined man of higher intellect or gentler calling. The American workingman has a strong desire to see his children enjoy advantages which he himself did not, and could not, have. He knows that the elements which must enter into a higher and better civilization are more intelligence, more education, higher morals and a more perfect physical development. He knows that none of these are to be attained or even hoped for by the child whose early and tender years are spent in grinding, exacting, wearying toil; whose joy of the present and hope of the future are lost in the never ceasing din and whirl of shop and factory; whose childhood knows none of childhood's happiness and whose prospects for a healthy manhood or womanhood are practically absent. The American workingman in his organized capacity opposes the employment of children during the years when their days should be spent in study and in healthful exercise and amusement out in God's sunlight.

It is a difficult thing to awaken a strong public sentiment on a subject which does not appeal to the patriotism of the people or which does not affect their immediate, individual interests. It is by far too common for people to look upon every effort as one calculated to advance the material welfare of someone, even though that someone cannot be found. Too often support and assistance for worthy causes are withheld or refused because it is erroneously believed that some ulterior motive is behind the movement. Organized labor alone in a crusade against child labor would be obliged to combat all the natural obstacles which must be met, and, in addition, would be charged with having no higher purpose than to secure the removal of children from employment in order that their places might be filled with grown people at higher rates of compensation. But those who are now lending their energies and their substance to this work cannot be charged with selfish motives or commercial purposes, and, in this work at least, the philanthropist, the economist, the employer, the sociologist and the trades unionist

can, and will, work to a common purpose and toward an end most devoutly to be wished for.

It might appear at first thought as though all energies should be first centered upon the localities and industries where child labor is most prevalent and where the conditions are the worst. Of course those are the places where there is greatest room for improvement, but what is needed is a rousing of the whole people. This is a subject which seems to be within the jurisdiction of the several states, each for itself. If one state should enact laws to put a stop to the employment of children in that state, there is every probability that the industries thus affected would transfer their operation to a neighboring state, and so long as there is the possibility of the industry being transferred across the state line, there to thrive as before, the willingness of state legislators to enact desired laws may be doubted. It, therefore, appears that in the states where the evil exists in the smaller degrees there is room for effective work. If laws are there enacted which would prevent such states from being used as a refuge by industries now employing large numbers of children, the probabilities of success in attacking the system through the legislatures in states where it is now strongly entrenched would be increased. There is practically no hope of better conditions except through legislation. Appeals to the humanity of those who employ children would fall on deaf ears. Organized labor, wherever found, may be depended upon to give cordial and earnest support to efforts to secure the desired, or the best possible, legislation.

That the employment of large numbers of children through long hours day after day and week after week has a blighting effect, morally and physically, upon the coming and on succeeding generations is apparent to the most superficial observer. No one but a degenerate can look upon this subject without feeling a stirring of the heart. The one who, having had his attention called to it, fails to express condemnation of it or withholds encouragement to every proper effort to overcome the evils which are inherent in the employment of children, in effect, though perhaps thoughtlessly, re-echoes the denial of responsibility for his brother's welfare.

THE CHAIRMAN: Another important factor in the forces arrayed against child labor is the employer himself. As Dr. Kirkland has said, first of all we hold responsible the school. Where we have



the school to guard the children properly we place them in its care, not letting them get beyond the pale of the school until they are fully prepared in their development for the responsibilities of life. Wherever there is proper parental responsibility we keep the child in that care until it is fitted for the physical obligations of modern industrial life. But, above all, we hold responsible the employer, and, I assure you, in the course of our work we meet all kinds of employers. Not long ago the owner of a large western factory, the employer of many people, took me through his plant. We came upon a little girl who, he said, earned \$7 a week at piece work. Bent over her machine, she was working as fast as her arms could move. On hearing our voices in passing, she looked up, and when I saw her flushed face already indicating physical disability I asked her employer: "How much will she earn five years hence if she continues at this work?" And the reply was: "I presume we shall have to have another girl in her place by that time." This is a type of the uneducated and the short-sighted employer.

Another employer said to one of our secretaries in the course of an investigation not long ago, pointing to a group of boys: "Look into the faces of these boys, and you can see that they are not fitted for anything else. You must be careful not to be too much of a providence to people who are born for another kind of existence. I shall oppose every effort that is made for improved child labor legislation in this state." This is an employer of another type—one who has neither education nor heart.

On the other hand, there is a large number of employers who take a different attitude. One of the largest employers of labor in the District of Columbia recently addressed a child labor committee in favor of supporting a bill fixing the age limit at fourteen, and in the course of his remarks he said: "I believe it is an outrage, with our present opportunities for education, to deprive a child of the opportunity to enjoy these opportunities. With our present business facilities I think it is also an outrage to put the burdens of industry on young children. I want none of them in my employ." With that sentence he stamped the committee, and they were unanimously in favor of the bill.

There are, also, employers who take a larger economic view, and who realize that it is to their own interest to favor the giving of larger opportunities to the child. But they are rare. One em-

ployer in Pennsylvania, where there are now three bills for improved child labor legislation pending before the legislature, has said: "I do not want any children under sixteen years of age in my employ. I do not believe it pays to have children. It pays better to pay higher wages to adult workers and get the greater concentration of effort which adult labor can bring."

And because we meet with all kinds of employers we want to hear, in their language, the attitude which they assume in general in the fight we are waging against child labor, and we are glad to have with us to-night one who can present this subject so sympathetically from the employer's standpoint as Dr. Hirsch. [Dr. Hirsch's paper appears in full in this volume.]

The list of forces arrayed against child labor, or that may be arrayed against child labor, is by no means complete upon our program. There is one force, perhaps greater than any one of these, or even greater than them all, and that is the force of the great public at large, the great force of public sentiment, the force to which you and I—all of us here—may contribute.

I have sometimes felt, in looking over the list of those who have joined our committee from all parts of the country—representing all shades of political creed and religious faith, and the interests of the employer and the employed—that there could not be brought together a more remarkable array of busy and representative persons, who have been willing to give part of their time and thought to this great cause. I am much encouraged by the meeting to-night, for I appreciate that in the midst of the busy season in New York, with its many attractions, the presence of this large audience is significant of a wider public interest in this question of child labor than many of us dared to hope for. The thought which we all need to take home with us is: How can we translate these beautiful sentiments to which reference has been made here to-night into legislation and social work that will make child labor impossible in every part of the country. We must remove the evils of child labor by placing upon our statute books effective legislation and by seeing that such laws are respected and enforced.

The second session was opened by Mr. Isaac N. Seligman, who took the chair in the absence of the vice-chairman of the National Committee and who introduced the following speakers: Mr. Owen R. Lovejoy, Judge Ben B. Lindsey, Mrs. Florence Kelley, Rev.

Neal L. Anderson and Mrs. A. O. Granger. All of these addresses are printed in full in this volume, and in addition to them a paper by Hon. Halford Erickson, Commissioner of Labor of Wisconsin, on "Child Labor Legislation—Methods of Enforcement in the Northern Central States," and a paper by Mr. Hugh F. Fox, president of the Children's Protective Alliance of New Jersey, upon "The Operation of the New Child Labor Law in New Jersey." Mr. Fox's paper was contributed through the Department of Philanthropy, Charities and Social Problems of THE ANNALS of the American Academy of Political and Social Science, and included here as properly belonging with the subject matter of this meeting. Mr. Erickson's paper was one of those read by title. The papers of Dr. L. Emmet Holt, of New York City, on "Some Physiological Reasons why Premature Employment of Children under Modern Industrial Conditions is a Menace to the Race," and of the secretary, Dr. Samuel McCune Lindsay, on "What the State Owes the Child," were read by title and are reserved for future publication.

Both the first and second sessions were largely attended by representative audiences, which taxed the limits of the seating capacity of the assembly hall of the United Charities Building.

The third session of the annual meeting was perhaps the most interesting of all the sessions of the annual meeting. It took place in Cooper Union under the joint auspices of the National Child Labor Committee and the People's Institute. Approximately sixteen hundred people, made up of the rank and file of the thinking people among the working classes of the lower East Side of New York, with a sprinkling representation from all sections of the city, listened to inspiring addresses from the speakers on the program. Dr. Felix Adler, the chairman of the committee, was again detained by illness and the secretary acted as the presiding officer. Dr. McKelway spoke on "The Child Labor Situation in Southern Industry," and Miss Jane Addams, of Hull House, on "Child Labor Legislation as a Requisite for Industrial Efficiency." Both of these papers are printed in full in this volume of proceedings. In addition to these, brief addresses were made by Judge Lindsey, who spoke with much fervor upon "Positive Work for the Development of Youth in Social Virtues, Industry and Knowledge," and also by Hon. Edgar T. Davies, Chief Factory Inspector of the State of Illinois, who spoke of the work of the Department of Factory Inspection in the enforcement

of child labor legislation and who illustrated from results already obtained in Illinois what an active and efficient department of factory inspection may do to make such legislation effective.

The annual meeting of the National Child Labor Committee adjourned at the close of the session held in Cooper Union, its members feeling that the work before it constituted a large task which could not be completed in a single year, nor, indeed, in several years of persistent effort. But the general feeling also prevailed that the forces of the community had responded to the call for special effort in this direction in a way to encourage the belief that they were numerous enough and strong enough to cope with these great evils and to overcome both the greed of employers and the greed of parents, who are willing to sacrifice the interest of their children for the sake of personal gain. The advance already made in legislation setting up an American standard on this subject and in the enforcement of state legislation encourages us to believe that the day is not far distant when the true interests of the children within the state may be deemed paramount to every other consideration of commercial prosperity.

## BOOK DEPARTMENT

### NOTES

Adams, T. S., and Sumner, Miss H. L. *Labor Problems*. Pp. xv, 579. Price, \$1.60. New York: The Macmillan Company, 1905.

The authors have aimed to furnish "a convenient collection of facts that will facilitate the study and teaching of the American labor problem." In this they have been very successful, and the book is admirably adapted for the purpose. It is written in a broad and sympathetic way, with every effort to state the facts fairly and clearly. Each chapter has a bibliography appended, making possible more extended studies. Although a text-book, much new material relative to the success of profit-sharing and co-operation is presented. By the use of thin paper the publishers have kept the volume in small compass.

The importance attached to this great social movement by thoughtful observers is reflected by the fact that the authors are connected with the University of Wisconsin; Dr. Adams being the assistant professor of Political Economy, while Miss Sumner holds an honorary fellowship in the same department.

It is not a history of organized labor alone, but comprehends such topics as child labor, immigration and other large phases of the subject. To those who would know the facts and catch the spirit of the labor movement, this book is heartily recommended.

Alden, Percy. *The Unemployed*. Pp. iv, 199. Price, 1s. London: P. S. King & Son, 1905.

This little monograph is very interesting and suggestive and deserves attention outside of England, though written primarily for English readers. The author advocates the establishment of a government department, compulsory labor bureaus, relief stations, a graded system of labor colonies, etc.

American Economic Association, Papers and Proceedings of the Seventeenth Annual Meeting. Part I. Pp. 226. Price (paper, \$1.00). New York: The Macmillan Company, 1905.

This volume treats of three subjects: Free Trade, Credit and Money, Open versus Closed Shop. These papers and discussions, particularly as regards the last topic, are of great interest and value.

Anemia in Porto Rico, Report of the Commission for the Study and Treatment of. Pp. 120, lxxi. San Juan: Bureau of Printing and Supplies, 1904.

No traveler in Porto Rico has failed to note the fearful ravages of anemia. It is a matter of congratulation that it has now been demonstrated beyond



dispute that the cause is not mal-nutrition, but due to the presence of a parasite. This admirable report indicates the possibility of overcoming the disease. The report is printed in both Spanish and English.

**Ashley, W. J.** *The Progress of the German Working Classes in the Last Quarter of a Century.* Pp. xiii, 164. Price, 1s. 1d., (60 cents.) London and New York: Longmans, Green & Co., 1904.

This little book is within easy reach of the class of people for whose use it was expressly written. Like the other writings of Professor Ashley, it is very readable. In brief, it is a collection of evidence as to the well-being of German working classes. A contrast of the living conditions of English workers with those in Germany, shows the former to be in a far poorer state than the latter. It is the intention of the author to show that protection has been by no means bad for Germany, for he thinks the working classes better off to-day than they were a generation ago, hence, by implication it ought to be a good thing for England. However, he does not commit himself to any definite policy, proceeding only to scholarly examination of evidence. The reader is thus left to draw his own conclusion as to which is the better, free trade or protection; and if he has followed the author even fairly well, he is rather sure to conclude that the latter is the better policy so far as the laboring class is concerned.

**Ashmore, Sidney G.** *The Classics and Modern Training.* Pp. vi, 159. Price, \$1.25. New York: G. P. Putnam's Sons, 1905.

The author, who is professor of Latin Language and Literature in Union University, pleads for the classics which he thinks are not receiving due attention at the present time.

**Avery, Elroy McKendree.** *A History of the United States and its People from the Earliest Records to the Present Time.* Vol. I. Pp. xxxii, 405. Price, \$6.25. Cleveland: The Burrows Brothers Company, 1904.

See "Book Reviews."

**Bureau of American Ethnology.** Twenty-second Annual Report. Part II. Pp. 372. Washington: Government Printing Office, 1904.

This volume contains an extremely valuable contribution to our knowledge of Indian life. The chief paper is a description of the Hako, a Pawnee ceremony, by Alice C. Fletcher, who was assisted by an educated Pawnee, James R. Murie; the music of the songs being transcribed by Edwin S. Tracy.

**Capen, Edward Warren.** *The Historical Development of the Poor Law in Connecticut.* Vol. XXII. *Columbian Studies in History, Economics and Public Law.* Pp. 520. Price, \$3.00. New York: Columbia University Press, 1905.

This is a careful study of the Connecticut laws from 1634 down to 1903. The state presents an excellent field for such investigation by virtue of the great development of the towns as compared with state and county. Experience has shown that while the town system brings local responsibility, the unit is too small in many ways. Since 1837, therefore, the activity of the state has increased. To-day the towns really block the plans proposed to dis-

strict the state, while the uneven quality of the work done for the various needy classes is open to criticism. The history is interestingly set forth, each statement of fact is verified by references, and the volume rendered more useful by indices and bibliography. The volume should instruct not only legislators of Connecticut, but of other states as well. Dr. Capen is to be congratulated upon his excellent monograph.

**Colquhoun, Archibald R.** *Greater America*. Pp. xii, 436, with Maps and Diagrams. Price, \$2.50. New York: Harper Brothers, 1904.

Reserved for later notice.

**Cosentini, François.** *La Sociologie Génétique*. Pp. xviii, 205. Price, 3f.75. Paris: Felix Alcan, 1905.

This little volume is a study of pre-historic social life and thought, and gives in brief compass an excellent resumé of what is known and believed of early man and his institutions. A bibliography accompanies each chapter. The author, a professor in the University of Brussels, takes at times rather advanced positions, but his interpretation of the results of recent archaeological and ethnological researches is most interesting.

**Deecke, W.** *Italy*. Translated from the German by H. A. Nesbitt. Pp. xii, 485. Price, \$5.00. New York: The Macmillan Company, 1905.

Professor Deecke's Italy is a monumental piece of painstaking German scholarship. It is a study, primarily economic, somewhat similar in scope to Shaler's United States. It differs in that it is all done by one man, and is all done carefully and well. The illustrations are good, the maps are excellent, and the range of information, including geology and art, is sufficient to satisfy the wants of the man of affairs and the student of economic conditions. It is a piece of careful scientific work such as one rarely meets outside of Germany, though the multitude of facts presented occasionally makes hard reading.

**Ferraris, Carlo F.** *L'Amministrazione Locale Inglese nel suo Ordinamento Generale*. Pp. 49. Roma: Nuova Autologia, 1904.

**Fish, Carl Russell.** *The Civil Service and Patronage*. (Harvard Historical Studies.) Pp. xi, 281. Price, \$2.00. New York: Longmans, Green & Co., 1905.

Reserved for later notice.

**Flanders, Henry.** *An Exposition of the Constitution of the United States*. Fifth Edition. Pp. xii, 326. Philadelphia: T. and J. W. Johnson & Co., 1904.

This is a new and enlarged edition of a little book designed to afford a convenient manual for the use of students of the Constitution of the United States. Each provision of the Constitution is intelligently explained under an appropriate heading and in the light of its historical origin, authoritative judicial interpretation and the well-established precedents. It is in a sense an elementary treatise on constitutional law, but is intended rather for the lay reader than the professional student. As such it is one of the clearest and most useful of the briefer manuals that has appeared.

**Fox, Wilson.** *Second Report on Wages, Earnings and Conditions of Employment of Agricultural Labourers in the United Kingdom.* (Labour Department, Board of Trade.) Pp. xii, 263. Price, 2s. 9d. London: Darling & Son, 1905.

**Hobhouse, L. T.** *Democracy and Reaction.* Pp. viii, 244. Price, \$1.50. New York: G. P. Putnam's Sons, 1905.

See "Book Reviews."

**Hollis, John Porter.** *The Period of Reconstruction in South Carolina.* (Johns Hopkins University Studies in Historical and Political Science, Series XXIII, Nos. 1 and 2.) Pp. 129.

This is a valuable monograph on the early history of the reconstruction period in South Carolina and constitutes the first installment of a projected comprehensive history of the entire reconstruction movement in that state. The present monograph attempts to show the economic and political effects of the Civil War on South Carolina, the chief features of the constitution of 1865, the failure of reconstruction under that constitution, the events leading up to the convention of 1868 and the operations of the Freedmen's Bureau in South Carolina.

**Horton, Isabelle.** *The Burden of the City.* Pp. 222. Price, 50 cents. Chicago: Fleming H. Revell Company, 1905.

This little volume is intended as a text-book in the Home Mission Study Course. It is strongly evangelical, but is free from cant. The author has a deal of shrewd insight into human nature and much knowledge of social conditions. The style is interesting and the contents suggestive. Each chapter has a bibliography.

**Hubbard, Arthur J., and Hubbard, George.** *Neolithic Dew Ponds and Cattleways.* Pp. xii, 71. Price, \$1.25 or 3s. 6d. New York and London: Longmans, Green & Co., 1905.

This little volume deals with certain aspects of the life of neolithic man in England as revealed in the fortified hill—encampments of the Southern downs. The argument turns upon the question of the water supply of the neolithic herdsman, who, exposed as he was to the attacks of wild animals as well as of human antagonists, found it necessary to make provision for watering his herds while securing them from attack. This was done, the authors maintain, by the construction of fortified dew-ponds in close proximity to the settlement, with which they communicated by means of well made cattleways. The fact that these dew-ponds communicate with some of the enclosures is adduced as additional evidence of their having been contemporaneous with the earthworks. The entire water supply for man and beast was derived from these dew-ponds, the construction of which involved in some cases as much labor as that of the earthworks themselves. The suggestion here indicated and dealt with in a candid spirit by the authors, is an interesting one and one which commends itself for further investigation. The half-tone illustrations made from photographs are admirable, and altogether the book is one to be read with interest and profit by everyone at all interested in the evidence relating to our ancestors of the stone age.

**Juncos, Manuel Fernandez.** *Compendio de Mora para las Escuelas.* Pp. 84. New York: Silver, Burdett & Co., 1904.

**Lahontan, Baron de.** *New Voyages to North America.* Two volumes. Pp. xcii, 797. Price, \$7.50 net. Limited numbered edition, \$18.00. Chicago: A. C. McClurg & Co., 1905.

This interesting account of the life of a French adventurer in America, with its strange mingling of fact and fiction, its descriptions of Indian life and customs, forms the fourth of the American reprints being issued by A. C. McClurg & Co. The editorial work has been done by Reuben Gold Thwaites, who contributes the introduction, while Victor Hugo Paltsits, of the Lenox Library of New York, has prepared an extensive bibliography. The original title pages, maps and illustrations are reproduced.

The English version of 1703 is the one here given and its rarity may be inferred from the fact that no complete edition has appeared since 1735. The present volumes will be a welcome addition to libraries and collections of Americana. The binding is uniform with earlier volumes of the series.

**Lamprecht, Karl.** *What is History? Five Lectures on the Modern Science of History.* Translated from the German by E. A. Andrews. Pp. ix, 227. Price, \$1.25. New York: The Macmillan Company, 1905.

Under this rather extravagant translation of the original title Mr. Andrews introduces to the English reader a series of five lectures delivered by Professor Lamprecht, and published in Germany at Freiburg in 1904 as "*Moderne Geschichtswissenschaft.*"

In the first lecture Professor Lamprecht discusses the gradual evolution of historic writing through the stage in which interest centres largely or exclusively in individuals or special phases of human activity, into the stage where these are subordinated and the emphasis is laid upon the collective culture or civilization of that vast corporation of individuals which make up a nation at any particular time. Examples of the former are genealogies, epics and political histories of the type of Ranke and Sybel. Of the latter the histories of civilization afford a crude example. Till the seventies the new tendency was still in its infancy, but during the last decades the rise of sociology and anthropology has given it a new impetus. Historians began to recognize the duty of studying the complex phenomena of the socio-psychic life. The first step in this direction naturally led to the analysis of the phenomena associated with the existence of great communities of men, that is, nations. Next came the study and determination of socio-psychic eras within this domain. The first good instance of this appears in Burckhardt's "*History of the Culture of the Renaissance,*" in which the great psychic difference between the Middle Ages and the period of higher culture is admirably set forth. More recently the attempt to make a statement of the course of a whole series of cultural ages was made by Lamprecht himself in his "*German History.*"

The other lectures deal with some of the basic problems connected with this method, particularly the mechanism of the great socio-psychic movement. This affords the author an opportunity of correcting and modifying some of

the theories and statements of his "German History," which time and Mr. Lamprecht's critics have plainly shown to be untenable.

Space does not permit a searching analysis of the work. It is in the main an elaboration of the views expressed by the author and his admirers in the controversy over "*Was ist Cultur-Geschichte?*" excited by the publication of his history of Germany and the queries it aroused. Unfortunately the book abounds in abstruse terminology borrowed from psychology and kindred sciences, giving to the ideas a decidedly original appearance, when as a matter of fact they are only old friends in a new dress.

List, Friedrich. *The National System of Political Economy*. Pp. xlv, 366. Price, \$2.00. New York and London: Longmans, Green & Co., 1904.

The fiscal controversy in England has been the occasion for the reappearance of several classical treatises of a more or less polemic character, and there is nothing particularly surprising or noteworthy therefore in the reissuing of this book, the most celebrated of them all. Coming as it did just at the time when the inductive or historical school was emerging out of the revolt from the system of natural liberty, List's system is interesting reading to the student of the development of economic thought, especially in that his revolt carried him to a further extreme than was the case with those who cared more for methods of investigation. "I would indicate," says List, "as the distinguishing characteristic of my system, nationality." And herein he differed sharply and decisively with the various systems of natural liberty, and between these he was not very careful to discriminate. In this, too, as Schmoller and others have pointed out, he was a better spokesman for his times than were Adam Smith and his successors. Whatever one's opinion of his convictions, his courage of utterance commands the admiration of all. His formative influence upon opinion in this country was not exceeded perhaps by that of any other writer upon the same subjects.

An introductory essay by Professor J. Shield Nicholson is a sufficient safeguard against the readers forgetting the inapplicability of his arguments to England at the present time.

McClain, Emlin. *Constitutional Law in the United States*. Pp. xxxviii, 438. Price, \$2.00. New York: Longmans, Green & Co., 1905.

In this book Justice McClain has attempted to cover the whole field of American constitutional law, not only from a purely legal point of view, but also more or less philosophically and historically, within the limits of a college text-book of 365 pages. Appendices giving the text of Magna Charta, the English Bill of Rights, the Declaration of Independence, the Articles of Confederation, the Northwest Ordinance of 1787, and the Constitution, make up a volume, all told, of 420 octavo pages.

The book does not make the conventional division between the Federal government, on the one hand, and state and local governments, on the other, but considers the powers of government, both state and national, from several more or less logically distinct standpoints. This will be best indicated by an enumeration of the eight main topics selected for treatment. They are: "System of Government," "Organization of Government," "Legislation," "Exec-



utive Power," "The Judiciary," "The States and Territories," "The Relation of the Individual to the Government," "Civil Rights."

Covering in a cursory way so vast a field, the book is necessarily in many respects unsatisfactory. It has, however, the decided merit of containing a selected general bibliography, topical bibliographical references for each chapter, an analytical table of contents, and a fairly satisfactory index. These mechanical excellencies render the volume an extremely usable one.

**McKinley, Albert Edward.** *The Suffrage Franchise in the Thirteen English Colonies in America.* (Publications of the University of Pennsylvania. Series in History, No. 2.) Pp. v, 518. See "Book Reviews."

**McVey, Frank L.** *Modern Industrialism.* Pp. xiii, 300. New York: D. Appleton & Co., 1904.

According to the author's statement this is an attempt to condense six volumes into 300 pages. He thinks that the future state is foreshadowed in present industrial society. The social problems of which America from her richness has the greatest burden, must be solved in the light of its teachings. He then states these teachings by telling the familiar story of the English industrial revolution and the rise of Germany and the United States.

Then follow descriptions of some conspicuous mechanisms of industry and commerce with the resulting achievements. The last third of the book is devoted to the problem of the relation of government to industry. In this part the railway is considered at greatest length, but the discussion does not equal that given by Johnson in "American Railways."

The book on the whole is well written, but its wide scope makes it but a brief introduction to the subjects treated. Parts of it are suited for use in high schools and lower college classes.

**Molinari, G. de.** *The Society of To-Morrow.* Pp. xlviii, 230. Price, \$1.50 net. New York: G. P. Putnam's Sons, 1904.

The author of this prophecy of political and economic organization is not an unknown "dealer in futures." In 1844 he published a forecast of the social effect of railroad development on the mobility of labor and proposed a "bourse du travail" to correspond with the stock exchange and to furnish laborers with daily quotations of the highest prices of all classes of labor in different parts of the country, while rapid and cheap transportation enabled him to go where he could compete for the best paid work. Fifty years later the Bourse du travail was established in France, but M. de Molinari's view of the economic influence of the railroad on the laborer was not wholly realized. "The Society of To-Morrow" is a peace essay, with appropriate introductions, fore-words and hind-words by noted apostles of peace, and tries to picture things as they will be when the competitive struggle becomes wholly intellectual rather than physical. Hodgson Pratt, Frederic Passy and Edward Atkinson contribute to the volume which is rendered in good English by P. H. Lee Warner, who translated it from the French.

**Patterson, C. Stuart.** *The United States and the States Under the Constitution.* Second Edition. Pp. xli, 347. Price, \$4.00 net. Philadelphia: T. & J. W. Johnson, 1904.

See "Book Reviews."

**Quaintance, H. W.** *The Influence of Farm Machinery on Production and Labor.* (Publication of American Economic Association. Third Series, Vol. V, No. 4.) Pp. viii, 106. Price, 75 cents. New York: The Macmillan Company, 1905.

**Rand, McNally & Co.** *New Imperial Atlas.* Pp. 172. Price, \$2.50. Chicago and New York, 1905.

This is an excellent popular atlas containing colored maps of all countries with large scale maps of the states and territories of the United States and Canada. The statistics are based upon the latest censuses. There is a very useful marginal index upon all the maps.

**Reformer's Year Book, 1905.** Pp. 272. Price, 1s. London: "The Echo," 1905.

This valuable little manual of things social in England, formerly known as the Labor Annual, may be secured in America from "The Comrade," 11 Cooper Square, New York City.

**Ripley, W. Z.** *Trusts, Pools and Corporations.* Pp. xxx, 477. Price, \$1.80. Boston: Ginn & Co., 1905.

"Trusts, Pools and Corporations" proves to be a compilation of articles by various writers, arranged primarily with a didactic purpose. It differs from most compilations or reprints in this particular. In other words, it is an attempt to apply the "case" method to the study of corporations, as a desirable supplement to the theoretical and historical treatises thereupon.

It is by no means easy for such a book to avoid the appearance of having been merely put together to sell. To be sure, the case method is no experiment, and there is no hardihood shown in its application in the present instance, and doubtless the book will prove a valuable adjunct to the equipment of the student. But a further compilation and classification of cases would have been more reassuring to the student. An excellent beginning has been made, and it is to be hoped that Professor Ripley will carry the idea further in a later edition, a work for which his eminent services on the Industrial Commission have so well qualified him.

**Scruggs, William L.** *The Colombian and Venezuelan Republics.* New Edition. Pp. vi, 380. Price, \$1.75. Boston: Little, Brown & Co., 1905.

Information concerning Spanish America is much needed and much in demand. People are beginning to realize that there is a problem to master before we really understand these neighbors who are looming steadily larger on our international horizon. Mr. Scruggs helps us toward this solution in the new edition of his book on Colombia and Venezuela. He gives us the ripe fruit of over a quarter of a century of residence and observation in those countries. He tells us about everything he has learned, history, politics, geography and travel, and includes boundary disputes and the latest episodes of the Panama situation.

Smith, J. Russell. *The Organization of Ocean Commerce*. Pp. viii, 153. Price, \$1.50 paper; \$1.75 boards. Philadelphia: University of Pennsylvania, 1905. (John C. Winston Company, Philadelphia, selling agents.) See "Book Reviews."

Smith, William Benjamin. *The Color Line*. Pp. xv, 261. Price, \$1.50 net. New York: McClure, Phillips & Co., 1905.

The author is a professor at Tulane University. He believes that there are but two possible solutions to the negro problem, amalgamation or extinction of the weaker race. The greater part of the volume is devoted to proving that the negro is hopelessly inferior in every way to the Caucasian, and that he is doomed to certain extinction. The author sees no ray of hope, even if Booker Washington's plans were generally adopted. "But that the average of the negro, both moral and physical, has fallen and is falling measurably under all endeavors to lift him up is a fact that shines out clear in the light of the foregoing statistics." The argument is largely rhetorical and contributes nothing to our knowledge of what is going on. Any evidence favoring the negro is either ignored or explained away. The full-blooded negro is bad enough, but far worse is the mulatto. With the author's desire to prevent the blending of the races the whites both north and south are in hearty accord. No evidence is presented, however, to show to what extent such an amalgamation is taking place. The book abounds in extreme statements, and save to those who are certain that they know the future, will create doubt rather than conviction. As a plea of an intelligent partisan the book has value, but otherwise is not to be compared with the recent volume of Mr. T. N. Page, who holds very similar views.

**Sociological Papers.** Issued by the Sociological Society (England). Pp. xviii, 292. Price, \$4.00. London and New York: The Macmillan Company, 1905.

The Sociological Society is to be congratulated upon its first volume. Most of the papers included were presented before the society during 1904, and are accompanied by numerous communications from various students upon the subjects discussed. The book is welcome not merely because of the excellent papers, but also because of the light it throws upon the headway sociology is making in England. The new society, which already has a goodly membership of prominent men, aims to further the study of social phenomena.

In the introductory chapter Mr. James Bryce advocates increased attention in university and other circles to social problems. The paper of Mr. Francis Galton on *Eugenics* (in sturpiculture) has attracted favorable notice. The author holds that the human stock is as susceptible to improvement as any other. It is indicative of the English situation that Mr. V. V. Branford finds it necessary to devote some twenty-four pages to an historical apology for the word *sociology*, but the account is interesting. Professor Patrick Geddes contributes a stimulating discussion of "Civics, as Applied Sociology," while Dr. E. Westermarck tells of "The Position of Women in Early Civilization." There is an account of an English agricultural village by Mr. Harold Mann, in which it is shown that the standard of living is lower than in

London. There are also two good papers on the relation of sociology to the social sciences, by Mr. V. V. Branford and Professor Durkheim.

The volume is well printed on excellent paper and will be of interest to all students of sociology.

**Stangeland, Charles E.** *Pre-Malthusian Doctrines of Population.* (Columbia University Studies in Political Science, Vol. XXI, No. 3.) Pp. 356. Price, \$2.50. New York: Columbia University Press. The Macmillan Company, agents, 1904.

This volume bears the sub-title, "A Study in the History of Economic Theory," and such it is. It is a valuable contribution to the literature of the subject. The author considers the population question as one of the most important in economics, and he has collected with great care the ideas of writers from times of early Greece down to Malthus. References are always given and the writers quoted verbatim or paraphrased.

Arranging the doctrines chronologically, the author puts them in the following groups:

I. The primitive attitude, usually taking the form of religious veneration of the procreative powers.

II. The Greek view, which held the sexual relation in strict subordination to the ends of the city state.

III. The Roman policy of stimulating population in order to expand the state.

IV. The mediæval Christian concept emphasizing celibacy.

V. The humanists, who sought the regulation of population in imitation of classical views.

VI. The individualistic and the anti-ascetic attitude of the reformation.

VII. The mercantilist attitude, favoring increase of population as a prerequisite to national power.

VIII. The scientific attitude based upon a study of the relation between population and the food supply.

The author shows that all of Malthus' ideas had been anticipated by earlier writers. The volume will be welcomed by students.

**Varlez, Louis.** *Les Salaires dans l'Industrie Gantoise.* (Royaume de Belgique Ministère de l'Industrie et du Travail.) Pp. cxlv, 239. Price, 3.50f. Bruxelles: J. Lebègue et Cie., 1904.

**Wack, Henry Wellington.** *The Story of the Congo Free State.* Pp. 634, xxv. Price, \$3.50. New York: G. P. Putnam's Sons, 1905.

The king of the Belgians and the administration of the Congo Free State have found an ardent champion in Mr. H. W. Wack, F. R. G. S., of the New York bar. His book, "The Story of the Congo Free State," is a large volume well and profusely illustrated, giving a general account of Congo affairs and conditions. It seems to have been written by a stay-at-home. The author claims that English rubber interests are opposed to the Belgians and are pushing a false campaign of calumny against them. Mr. Wack frankly admits that he went to the King of Belgium and secured the data from official documents to write the "true" story of "a great colonizing under-

taking founded upon modern social science." He disclaims any desire to whitewash the situation, and says he is in no wise influenced by the courtesies shown him by the Belgians. His refutation of the British charges is so violent that, considering the sources of his information, the argument is not convincing. The volume deserves attention, for many valuable facts are presented.

**Wallace, Dillon.** *The Lure of the Labrador Wild.* Pp. 339. Illustrations and maps. Price, \$1.50 net. Chicago: F. H. Revell Company, 1905.

This fascinating journal of the expedition into the unknown regions of Labrador, conducted by the lamented Leonidas Hubbard, Jr., who lost his life on the trip, has already passed into its second edition. The story is simple and pathetic, yet withal appeals to some of the deepest instincts of man. It is one of the most interesting accounts of exploration we have seen, and will be enjoyed by all who read it.

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#### REVIEWS

**Avery, Elroy McKendree.** *A History of the United States and its People from Their Earliest Records to the Present Time.* Vol. I. Pp. xxii and appendix, 405. Price, \$6.25. Cleveland: Burrows Brothers Company, 1904.

This is the first volume of a history of the United States, to appear in twelve volumes. The period covered by the present volume is the "Period of Discovery."

"Twenty years ago," the prospectus says of the publishers, "they recognized the urgent need for a really excellent popular history of the United States, one that should be: first, trustworthy, without being a mere mass of documents; second, complete or extended enough to be more than a mere skeleton, devoid of all flesh and blood of personal interest; third, so lucidly written that its clearness of expression should make it as interesting as a novel; fourth, liberally mapped; fifth, instructively illustrated, beautifully printed and sumptuous. Dr. Avery has devoted years of study to supplementing clearness of telling with correctness of statement and a true philosophic historical perspective."

So much for origin. As to method: "Dr. Avery has built his narrative upon the foundations laid down by others, often, however, being forced to go or to send to the fountain head." It is stated elsewhere that the twenty-second chapter was originally written by James Mooney, of the Smithsonian Institute. That the material for the second chapter also came from that institution; and that the chapters on the Coronado Expedition and those on the Spanish Explorations, "besides the general critical readings they received were further examined by George Parker Winthrop, librarian of the John Carter Brown Library, Providence, R. I.; Frederick Webb Hodge, editor of the *American Anthropologist*, and Frank Heywood Hadden, of Lawrence, Kans., all specialists upon this subject. What we have, in short, at least in chapters specifically mentioned above—and they



are the best in the volume, chapters I and II amounting to a real contribution—is the results of the scholarship of others cast into the literary mould of Dr. Avery's style. Dumas the elder compared his relationship with his numerous collaborators to that of Napoleon with his marshals. Dumas, however, never raised his "marshals" from their humble condition of anonymity. Dr. Avery and his publishers have, in the cases above noted, been more generous. What with all this candor—somewhat scattered, it must be admitted—and the complaisance of the specialists whose services were invoked, the most captious critic is effectually estopped from raising any question as to the propriety of the system of history writing just described.

The volume before us is to be judged however not as a contribution to historical scholarship, but as a work designed "to meet the wants of men and women of general culture." From this standpoint it has, without doubt, certain excellencies. It is written in an interesting style. At few points could the publishers have improved upon their part in the work.

On the other hand, not a few adverse criticisms must be recorded. In the first place, while the style has a certain pleasing smoothness, the reluctance of the author to interrupt this compels him to fail, at crucial points, to state explicitly what he is talking about, and the result for the reader is perplexity. If it is sometimes fittingly eloquent, at other times the effect hardly befits the dignity of history written for "cultured men and women." "But the nascent West need not pale its glory before that of the dead or dying Orient" (page 65) is not eloquence to say the least. Again the effort to compress information by an allusion to what has not been told (pages 60-61) is always disastrous.

In his discussion of moot points, Dr. Avery shows an admirable desire to hold an even hand between contending theories. This virtue of impartiality has, however, its limits. For example, the point of greatest weakness in Varnhagen's defense of Vespucci is not exposed at all. Good nature, too, is not an unqualified virtue. Why should Marcou's generally derided theory of the origin of the word "America" be mentioned at all (page 240).

But the greatest defect of Dr. Avery's treatment of the "Period of Discovery" remains to be mentioned: *its lack of proportion*. The author claims to rest his work upon the best results of scholarship dealing with his subject. It is not demanded that he should have conceived the brilliant idea illustrated by Professor Cheyney in the idea of *beginning* the "History of the United States" with a discussion of the European conditions that led to the discovery of America. But it is certainly little less than provincial to devote ten pages (Chap. III) to fabled discoveries of America and twenty-three pages (Chap. IV) to the resultless discovery by the Norsemen, while disposing of the Eastern question and its bearing on the discovery of America in less than one page (108), and the work of Henry the navigator in two more (109-111).

Our verdict regarding Dr. Avery's bibliography must also be that it might be improved. We still judge from the standpoint of the "men and women of general culture" who are going to read this book. What are these helpless folk to do with a list of writings in which a silly magazine article demanding that

America be renamed in honor of Columbus hobnobs with Santarem's "Researches?" In certain cases Dr. Avery has pointed out the importance of an author's contribution to his subject. This idea should be utilized farther; and inferior works, if they are to be mentioned at all, should be noted in smaller type than more important works. Also, when the work on a subject is in French or German, it ought to be mentioned.

We are pleased to learn that the publishers have decided to omit imaginative pictures. We should recommend that Dr. Avery make a similar sacrifice of irrelevant poetical quotations. The cover, the prospectus explains, was designed along patriotic lines. It is unfortunate. For it mars an otherwise splendid piece of book making.

EDWARD S. CORWIN.

*University of Pennsylvania.*

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**The Cambridge Modern History.** Planned by Lord Acton and edited by A. W. Ward, G. W. Prothero and Stanley Leathes. *The Wars of Religion*, Volume III. Pp. xxviii, 914. Price, \$4.00. New York: The Macmillan Company, 1905.

This volume of the Cambridge modern history covers approximately the years from 1555 to 1648. The first decade of the latter half of the sixteenth century is marked by a series of events that clearly indicate the tempestuous character of the century that follows. In 1555 occurred the abdication of Charles V; four years later, in 1559, the treaty of Cateau-Cambresis ended the long war between the two great Catholic powers, France and Spain. Italy was freed from her invaders, and Savoy gained her independence; England had lost Calais; Mary Tudor had just died, and parliament declared Elizabeth the supreme head of the Church of England and substituted the Book of Common Prayer for the Mass, while Mary Stuart proclaimed herself the lawful heir. More significant still was the change in the character of Protestantism into an aggressive, militant Calvinism, relying for its strength upon the people, and threatening not only the old faith but monarchical institutions themselves, in France, in Scotland, and to a less degree in the Netherlands. In the face of this new danger Catholic France and Spain drew very naturally together, while the church prepared for the conflict by a careful reformulation of its tenets in the third session of the Council of Trent, and by establishing the other instruments of the Catholic Reformation,—Society of Jesus and the Inquisition. Thus reformed, and with a new zeal it came to the aid of the political powers arrayed against the new Protestantism. The task before it "was the suppression of the threatened revolt in France, Scotland and the Netherlands and the dethronement of Elizabeth as a heretic and a usurper" (page 260).

The vicissitudes of fortune attendant upon this task constitute the subject-matter of the volume. Unfortunately the central theme has impressed itself upon only a few of the contributors and as a consequence we are confronted with a series of studies closely related to one another in subject but not in treatment. The editors might render an effective service by furnishing

the different contributors with reprints of the following from the original plan. "For each of these (volumes) some historical fact of signal importance has been chosen as a central idea around which individual developments are grouped, *not accidentally*, but of reasoned purpose" (Vol. I, page 6).

The volume on "The Wars of Religion" presents too much accidental selection and grouping. This will strike the reader forcibly at the very outset in Mr. A. J. Butler's tedious narrative of the eight wars between Huguenots and Catholics in France. Nor does the chapter on "France under Henry IV," by Mr. Leathes, improve matters materially. One of the essentials of good historical writing is a careful exercise of judgment in the matter of selection. Facts should be chosen with reference to their relation to the treatment as a whole not merely because they happen to lie upon the surface or appear with the first turn of the spade in the research digging. Mr. Butler also contributes a chapter on the "End of the Italian Renaissance," which is remarkable for its involved style and its purism. Aristo could on occasion "Petrarchize;" his wit is of the "Burnesque" order rather than of the "Boccaccesque," while Forlengo is particularly felicitous in writing "Macaronic" poems. This chapter, along with the one on Poland, by Dr. Brosch on the "Ottoman Empire at its Height," which is exceptionally good, and the two excellent studies by Mr. Ward on the Empire of this period, constitute the portions of the volume not immediately dominated by the great forces that give unity to the age in western Europe.

The story of these forces as they developed in the Netherlands is simply and entertainingly told in three chapters by the Rev. George Edmundson, but the writer frequently fails to grasp the significant economic and racial factors in the conflict, nor does he appear at all conscious of any but local phases of the subject. The larger European interests of which the struggle in the Netherlands formed an integral part are not kept in mind, the treatment in this respect differing strikingly from Mr. Lawes' in the chapter on Mary Stuart. Mr. Laughton's chapter on the "Elizabethan Naval War with Spain," while apparently the work of a specialist, suffers by comparison with Sydney Lee's on the "Last Years of Elizabeth" and the "Elizabethan Age of English Literature." In these we find a welcome respite from the interminable dates and battles of the military and political history, and approach more closely to the life and thought of the nation. The style is very felicitous, and we are made to feel the abounding intellectual and physical energy of the Elizabethan era. But of all the chapters in the volume, that by the late Professor S. R. Gardiner stands out conspicuously as the work of a master. The research and constructive thought of a lifetime appear condensed and crystallized in his chapter on England under James I, and that clarification which comes from the highest kind of specialization is everywhere conspicuously present. The important subject of Spain during this period is done by Martin Hume with considerable success. Italy, which escaped in a large measure from the internecine wars of the era, is treated in two chapters; Tuscany and Savoy, by Mr. Armstrong, and Rome under Sixtus V, by Count Ugo Balzani, the latter's account of the reorganization of the Congregation having special merit.

As a whole the treatment of the era is strikingly uneven. The paramount excellence of some of the chapters is so evident that the weakness of the others is made especially evident. The usual bibliographies are found at the close, but as in the previous volumes no attempt at a valuation of the works is made. There are occasional slips, especially in the matter of citing later editions, as if the original were meant. The announcement by the editors that after the issue of Volume XII, the narrative will be supplemented by a volume of maps and by another containing genealogies and other auxiliary information, with a general index to the entire work, will be generally welcome.

WILLIAM E. LINGELBACH.

*University of Pennsylvania.*

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**Conant, Charles A.** *Wall Street and the Country.* A Study of Recent Financial Tendencies. Pp. x, 247. Price, \$1.25. New York: G. P. Putnam's Sons, 1904.

In these days when the public mind seems charged with doubt and suspicion respecting all financial and capitalistic institutions, and many persons in their eager desire to crush certain forms or methods of industrial organization and procedure would hurry forward into universal socialism, this little volume of essays should obtain an extensive reading. Herein are six studies of as many important phases of recent economic or financial developments. They relate to: (1) "The Future of Undigested Securities;" (2) "The Trusts and the Public;" (3) "The Function of the Stock and Produce Exchanges;" (4) "The Economic Progress of the Nineteenth Century;" (5) "Putting China on the Gold Standard," and (6) "The Growth of Trust Companies." Those who infer from the title given the volume that they can learn from its contents much concerning the intimate transactions of "Wall street," of its intricate mechanism, of its "bull" and "bear" operations, the "short" and "long" sellers, and the tricks of the pit and the curb in "corners" and panics will be disappointed. The title is transcendental and suggestive of the subject-matter.

Mr. Conant's main objective, so far as his discussion relates to recent stock exchange operations and capitalistic combinations, is to demonstrate that two plus two makes four and will continue so to sum up despite recent novel and perplexing developments that seem to suggest a different conclusion. Recent stock operations, such as the marvelous increase of industrial securities and the astonishing growth of trusts and gigantic corporations, have not been irrational nor hostile to the public welfare. On the contrary, trusts, although novel, are normal results flowing from immense increases in disposable capital and declining interest rates. Industrial stocks are not a whit different from any other corporate securities and they are subject to the same laws of value that are conveniently summed up in the law of supply and demand. The trust is an effective device for increasing the efficiency or productiveness of the people's disposable capital. Mr. Conant's analysis and discussion of most points, especially where popular opinion:

inclines strongly to repressive measures, is illuminating and judicial in tone. He shows clearly that "publicity" is not a panacea for the evils of stock jobbing. Certain beneficial results can be secured from public inspection and exhibits, but the primary cause of the evils most loudly complained of in this connection, is due to the investor's overweening desire for abnormal profits or interest or dividends. No amount of publicity or governmental paternalism can prevent men and women making stupid investments when they are seized with a mania for "getting rich quick." All that government can do successfully in such premises is to prohibit and punish gross fraud or perversion.

Mr. Conant's admirable discussion is, however, subject to some adverse criticism. He contemplates the recent phenomena of stock manipulation chiefly if not entirely from the point of view of the investor and the promotor of capitalistic enterprises. But while, in the large, the interest of these classes is likewise that of the public, yet we know that there is more or less conflict between the general welfare and unrestrained private venture; and no matter how much we may deplore increasing governmental interference in current industry and commerce, the necessity therefor seems imperative. Mr. Conant expresses marked skepticism respecting the wisdom of federal control of corporations, because corruption would so concentrate at Washington (page 73), and regards as satisfactory the present state control (page 213). As one considers the frightful corruption that for years has reeked in the legislative precincts of the state capitols of Delaware, Illinois, Missouri, Pennsylvania and Rhode Island we doubt the sufficiency of his argument. His assertion that the state inspection laws of New York and Massachusetts insures the "solvency and sound management" of trust companies is hardly consistent with not a little of his argument adverse to governmental regulation. Moreover, we suspect that there are solid grounds for the general consensus of opinion that the national banks are subject to more thorough-going and effective supervision than the banks of any state government in the Union; and a consideration of the essential principles of effective administration will indicate that the national administration must needs excel state or local administration from the very nature of the conditions under which they exist.

F. I. HERRIOTT.

*Drake University, Des Moines, Ia.*

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Edgington, T. B. *The Monroe Doctrine*. Pp. viii, 344. Price, \$3.00. Boston: Little, Brown & Co., 1905.

The first half of this volume is a somewhat conventional discussion of the origin and more important applications of the Monroe Doctrine. The second half, which is suggestive and decidedly original, deals largely with conditions as they now exist in the Latin-American republics and the duties imposed upon the United States by its assertion of the Monroe Doctrine. The author devotes much space to a refutation of the "Calvo Doctrine," meaning thereby the denial by a well known Argentine publicist of the right



of European powers to intervene in Latin-America in support of the pecuniary claims of their subjects. Mr. Edgington not only favors receiverships where default is made in the payment of foreign debts, but he goes further and advocates a form of political receivership for the suppression of revolutions and for the settlement of disputed presidential elections. He sees no reason why the affairs of an American republic may not be straightened out by a receiver in precisely the same manner as the affairs of a railroad corporation.

Some of the discussions, especially in regard to coaling stations and the collection of international debts, do not indicate a very strong grasp of the principles of international law. Vattel appears to be his main reliance, though Hall is quoted twice. The book contains errors of fact as well as of judgment. There is a good deal of unnecessary repetition, not only of ideas but of phrases and in some cases of whole paragraphs. The most serious imperfections are due to a lack of experience in handling sources, especially a lack of acquaintance with public documents. The material is drawn largely from the "Annual Cyclopaedia," the "American and English Encyclopedia of Law," and the daily newspapers. There are several references to the "Messages and Papers of the Presidents" and to the "Statutes at Large," one to Wharton's "Digest," several to the "Foreign Relations," but only to one volume, that of 1902, and references to two senate documents. The frequent references to "Senate Document, 330," containing the report of the Second International Conference of American States, should be to "57th Cong., 1st Sess., Sen. Doc., 330," and the references in chapter 27 to the *Foreign Relations* are to the volume for 1902.

Notwithstanding grave defects the book is interestingly written and suggestive. The author is a member of the bar of Memphis, Tenn.

JOHN H. LATANÉ.

*Washington and Lee University.*

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Gilman, Nicholas Paine. *Methods of Industrial Peace*. Pp. x, 436. Price, \$1.60. Boston: Houghton, Mifflin & Co., 1904.

Professor Gilman's book is likely to be the precursor of a large number of works in the important field of industrial relations. It is based on that community of interest between labor and capital which has been so much emphasized in recent magazine literature, and the subjects treated are: "Combination of Employers," "Of Employees," "Collective Bargaining," "The Sliding Scale," "The Incorporation of Industrial Unions," "Conciliation," "Legal Regulation of Labor Disputes in Monopolistic Countries," "Regulation in New Zealand" and "The Essential Conditions of Industrial Peace." With these he also offers chapters on "The Aims and Methods of Trade Unionism," "The Rights and Duties of the Public," "Industrial War," and a general review of the importance of association in modern industry. The author admits, without reservation, the usefulness and the necessity of combinations of employers and of employees. The object of the book is not to propose reforms to either side in the dispute, but to suggest principles of action which

will allow of the efficient working together of the two elements, "to aid in the better comprehension and the wider diffusion of the principles and the methods of industrial peace." By industrial peace Professor Gilman understands "the condition of things in which the ordinary processes of industrial production go on regularly and quietly."

In a book designed to suggest means of co-operation between labor and capital there is no room for discussion of the economic principles governing the distribution of the proceeds of industry. Professor Gilman does not criticize our present economic system; his whole aim is to secure peace and quiet. In this respect the work differs from many modern discussions of the labor question. Most of these latter are called forth by the need of a clearer understanding of the justice or injustice incident to our existing methods. The author of "Methods of Industrial Peace" passes this question by and interests himself primarily in keeping things going. The various chapters are of unequal value. "The Methods and Aims of Trade Unionism" and "The Sliding Scale" are scantily treated, while "Collective Bargaining" is given a much more thorough discussion. "Combinations of Employees" and "Combinations of Employers" are also somewhat hastily and summarily dismissed. In fact, if a general criticism might be ventured on the whole work, it would be that too much ground has been covered and that in consequence too little intensity of treatment is shown. On the other hand, the author exhibits an admirable breadth of view and impartiality which must appeal to all readers. His object has been not to offer a monograph but a general treatise, and in this respect the book is a distinct success. We may hope that the individual chapter headings in Professor Gilman's work will eventually become the titles of a series of treatises; a wide circle of readers for such a series would seem to be assured, particularly if the same spirit of impartial investigation and fair-mindedness is shown.

JAMES T. YOUNG.

*University of Pennsylvania.*

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Hobhouse, L. T. *Democracy and Reaction*. Pp. viii, 244. Price, \$1.50.  
New York: G. P. Putnam's Sons, 1904.

The purpose of the book is to show that democracy is following the general course of every historic movement, advance, inaction, retrogression, and to sound the alarm of a rapidly approaching danger—popular imperialism. In the effort to establish the policy of protection in England the author sees reaction. In the prosecution of the Boer War and in the subsequent attitude of England toward the South African republics he sees a plunge toward imperialism in which the people are searching for world-wide power. With the principles of the forefathers lost, the work of the past accepted with barely a note of recognition; the middle class entered within the gates of privilege, and against farther reform, the author finds himself forced to the conclusion that conservatism for economic reasons has taken hold of the Liberalist so firmly that it cannot be shaken off, and that in place of a kingly despotism a new democratic or popular despotism has grown up.

A rather close student of Bentham and Cobden, Mr. Hobhouse looks out upon the twentieth century world through a prismatic glass which distorts his whole vision. After a brief outline of the ideals of the Cobdenites an energetic attack is made upon the foreign policy of England, showing that the general attitude of the people toward government is detrimental to the interests of advancing civilization, charging at the same time general intellectual decay. "The whole current of thought has joined that of class interest and the united stream sweeps onward in full flood to the destruction of the distinctive landmarks of modern civilized progress."

In the last chapter, Liberalism and Socialism, the author attempts to break away from his general morbidness, but the reader is even here destined to disappointment. Socialism is said to be based on the victories won by liberalism, but whether it is by approaching the realm of the Socialist we are to reach a "saner social value," or by some other means one is left in doubt. While well written, the book is full of expressions, which lead one to believe it the work of a disappointed politician, rather than that of a fair critic. Although the author shows clearly that there has been a great change in economic, social and political ideals since the days of Cobden, he nevertheless fails to prove beyond a reasonable doubt, his thesis, that English democracy is in the throes of reaction from democratic principles, and already upon the threshold of popular imperialism.

WARD W. PIERSON.

*University of Pennsylvania.*

**Kinley, David.** *Money: A Study of the Theory of the Medium of Exchange.* Price, \$1.25. New York: The Macmillan Company, 1904.

Professor Kinley is one of the few American writers on the subject of money who have considered it necessary to familiarize themselves with the practical details of exchanging before addressing themselves to the discussion of the principles which underlie exchange transactions. There has been a surprising amount of unreality about recent discussions of the theory of money, and while the present volume is not wholly free from the prevailing infection, it is in some respects an improvement over much that has preceded.

In his general outline, Professor Kinley follows the conventional scheme. He begins with the social importance of money, then passes through a discussion of its evolution, considers the question of coinage and currency and its circulation, and of the services and nature of money. At this point, begins the author's own contribution to the subject. This is contained in the chapters on the Movement and Distribution of Metallic Money, The Static Distribution of the Precious Metals, The Value of Money, Stability of the Value of Money, Significance and Causes of Changes in the Value of Money, and Credit and Prices. Following these, there are several chapters on Measurement of Variations, Bimetallism, etc., in which accepted opinions are represented.

Professor Kinley's discussion of the distribution of the precious metals is disappointing. Most of the modern writers upon this subject have

attempted to prove the unreality of the famous law elaborated by Ricardo; to the effect that "Gold and silver are, by the competition of commerce, distributed in such proportions amongst the different countries of the world as to accommodate themselves to the natural traffic which would take place if no such metals existed, and if the trade between countries was purely a trade by barter." In illustrating the operation of this law, Ricardo assumes what was then and is now the fact, that an increase of imports into a country, if not immediately offset by an increase of exports, would result in an exportation of gold which would continue until the increase in the supply of gold used as money in the countries from which the nation in question derived its imports, and its own decrease in money supplies would equalize values in foreign trade.

Professor Kinley attempts to invalidate this proposition by the argument that an increase of imports results in an increase of exports. "As a matter of fact a larger volume of foreign goods offered for home products will draw out a larger quantity of these products in exchange. The home products will fall in price. The exchange will alter so that both countries will get some of the advantage arising from the lowered cost of the goods exported by A. The price level will fall to a point at which there will be new equilibrium of exchange between the imports and the home products. Meantime a larger amount of goods has been sent from B to A. The price level will fall there also, with the net result that there occurs a fall in the price level of both countries, such that their average prices bear to each other the same relation that existed before, without any movement of specie."

Professor Kinley's assumption in this argument that increasing imports tend of themselves to produce an increase of exports, is not borne out by any recorded facts of foreign trade. On the other hand, the experience of the United States in recent years is a conclusive refutation of his argument. It almost invariably happens that an increase in imports resulting as they usually do from high prices in the importing countries, produces a decrease of exports. The importing country, in other words, has become a good place to sell in, but a poor place to buy in. The result is, an export of specie until the equilibrium is restored. Professor Kinley attempts to further modify Ricardo's proposition by introducing the influence of credit, but as he himself shows in later chapters, the only service of credit is to increase the efficiency of a given quantity of money, to reduce, in other words, the amount of specie which must be moved out or into a country in order to produce a sufficient change in prices to equalibrate its international transactions.

It is unfortunate that American economists in writing upon this subject seem to forget that David Ricardo passed a long and successful business life in the minute observation and careful study of the International Exchanges, and that his conclusions were the results of personal observation. Ricardo discussed movements with which he was familiar, and whose nature has changed but little in the hundred years which have elapsed from that date. In most branches of economics, great advances have been made since Ricardo's time. In the science of International Exchange, however, latter day critics should continue to sit at the feet of their master.

Professor Kinley's discussion of the Changes in Value of Money, also leaves much to be desired. His studies of business phenomena have doubtless convinced him, as they have every intelligent observer, that falling prices are synonymous with industry depression and that prosperity always accompanies advancing prices. In view of this business axiom, we are surprised to see in Professor Kinley's work a recrudescence of the exploded theory that the workingman may be benefited by falling prices because the purchasing power of his wages may increase more rapidly than their amount declines. There are some fields in which the "crude guessing of unmethodized experience" which Cairnes held in such scorn, furnish a better guide than the ratiocinations of the deductive thinker. The recorded experience of the business world from the time when business began is that falling prices always go hand in hand with business depression. No amount of reasoning will alter this fact, the recognition of which lies at the basis of any useful theory of exchange.

When we arrive at Professor Kinley's discussion of Credit and Prices, the effects of the results of his well-known studies in Credit and Currency are at once manifest. We have here a working theory of credit, a theory, that is to say, whose understanding would be of service to the business man because it explains the facts of modern business. While Professor Kinley properly refuses to grant to credit supreme influence in the determination of prices, he recognizes its importance, and shows that an increase in the amount of deposit currency or other forms of credit, is certain to be followed by an increase in prices. Walter Bagehot, thirty years ago, laid down the proposition that a man borrows for one of two reasons, either to buy or to keep from selling, and in consequence, an increase of loans invariably results in either an increase of effective demand or a decrease in supply.

Professor Kinley fully recognizes this connection between credit and prices, and his discussion of the subject is one of the best which has appeared in recent years. The author's next book on "Credit and Banking" will be awaited with great interest. No one is better qualified to discuss this subject, and in its elaboration Professor Kinley will be unhampered by his devotion to the unrealities of politico-monetary science. The campaign of '96 has long since past into history, but its reverberations can still be heard in the discussions of monetary theory.

E. S. MEADE.

*University of Pennsylvania.*

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**Macy, Jesse.** *Party Organization and Machinery.* Pp. xvii, 299. Price, \$1.25. New York: The Century Company, 1904.

Government is not simply what the constitution and the laws say it shall be, but what we, the people, make it in the ordinary course of things from day to day. Hence the increasing attention given in recent years to a consideration of the nature and functions of political parties in the actual conduct of government. Without definite and facile organs for the expression and realization of public opinion, organs that will bring governmental activi-



ties into harmony with the general desire, democracy, in such a vast domain as ours, would be impossible as a form of government. Political parties are the instruments by which democracy expresses itself and effectuates its purposes.

In his account of the present organization and machinery of political parties in the United States Professor Macy has given us an interesting and instructive discussion of one of the most remarkable developments in the history of governments. Following a brief introduction, in which he points out the most significant changes that have taken place in the modes and mechanisms of government by public opinion, he dwells upon the "political cycle," namely, the quadrennium of our national political life and its marked influence upon the conduct of local party activity. The national party as the great "unifying agency" in the American commonwealth, is then dealt with. Thereupon follow chapters dealing with presidential leadership, with congressional leadership, and with the work and organization of the national and congressional committees in the practical conduct of party affairs. The major portion of the text, however, is taken up with the presentation of Professor Macy's exhibits and discussion of the machinery and methods of state party organization in a number of typical American states. We are shown the immense influence of local interests and problems upon party procedure and the converse that of party methods upon local or state interests in such states as Pennsylvania, Massachusetts, Indiana, Missouri and in the South. In the last third of the volume he discusses the effect of the city upon the party system, party finance, the party in power and the party in opposition, party accessories and party loyalty and the party as a teaching agency.

Professor Macy deals with his subjects sympathetically. He is no flabby optimist; no more is he a pessimist. Unlike M. Ostrogorski, he does not suffer from cynicism regarding republican institutions and contempt for the perversions of democracy. He describes things as he finds them. Party organization may be perverted here and there, but in the main it is a natural evolution, an institution that serves the purposes of democracy, and to regard it or its phenomena as chiefly an abomination worthy only of winged darts of sarcasm and slashing judgments is far from scientific or beneficial. Instead of making a spectacular exhibit of the late M. S. Quay's peculiar sway, and winning applause from the numerous critics of his régime as is now fashionable in our popular magazines, he shows us the structure and methods of operation of the machinery that made his rule possible and that makes possible similar careers for those on whom may fall his mantle. It is particularly as to these phases of state party organization that Professor Macy has given us much new information. Messrs. Bryce, Ford and Woodburn deal chiefly with the national party organization and machinery and somewhat with municipal party life and but little directly except incidentally with the work and procedure of the state organizations. It is the last that receives extensive and original treatment in the text before us. The mode of presentation is concrete; we are given no *a priori* delineations, but rather matter-of-fact descriptions of the several local schemes of organization, their constitutions, by-laws and their practical effect upon party procedure and general

politics. It is to be regretted that the limitations of the series in which the volume appears has prevented Professor Macy from dealing *in extenso* with many phases of important developments, methods and problems that the space at his command permits only to be briefly touched upon.

F. I. HERRIOTT.

*Drake University, Des Moines, Ia.*

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McKinley, Albert Edward. *The Suffrage Franchise in the Thirteen English Colonies in America*. (Publications of the University of Pennsylvania—Series in History No. 2.) Pp. v, 518. John C. Winston Company, Philadelphia, selling agents, 1905.

Mr. McKinley in a series of thirteen distinct narratives attempts the history of the suffrage in the American colonies, devoting to each a complete essay, varying in length from ten to seventy pages. These limits are set because "in the New England colonies, the systems of which have been carefully studied, he has limited himself narrowly to the suffrage qualifications; in other cases, as in the Carolinas and New York, more attention has been given to these circumstances under which the suffrage was exercised." Secondly, the limits are necessary because "the material for the study has been gathered almost exclusively from the printed records of the several colonies and from the various editions of colonial laws." The abundance of available printed sources has evidently had much to do with one state's getting seven times the space devoted to another.

The author recommends Bishop's History of Elections for the analytic side, which he sets aside for "the dynamic or developmental aspects of the subjects." Using this as the basis of our judgment, as we should to be fair, the book is a splendid piece of work. The development is treated always in its bearing upon England's peculiar designs in the colony and, on the other hand, with reference to the natural economic features of the settlement and its future possibilities. We feel that sometimes rather strained efforts are made to show continuous development in matters of origin, as in making representative government spring from a petition for slaves (page 168); but in general there is shown the most conservative scholarship.

The author very sanely, as judged by the demands of the student reader, has scattered his bibliographical material in copious footnotes. However, some word of warning as to the absolute reliability of those few chapters constructed almost entirely from the older, secondary authorities (state histories) would not be amiss. In general no fault can be found with the selection of facts nor regarding the use made of them. The very open display of material is highly commendable.

Despite a few slips, such as the ambiguous use of "trust" on page 170, the expression is very clear and the treatment simple in its chronological scheme. The swing of the narrating carries the reader on easily through masses of evidence very simply and skilfully manipulated to show the ever-increasing share that the individual citizen acquired in matters governmental. The book in thus showing the share of the common man in his local

government, the nature of the official classes and the inadequacy of the governmental machinery to express the popular will, makes a valuable contribution to any scientific study of the American Revolution with its complementary era of state constitution-making. The volume closes with an admirable summary of the several qualifications of the suffrage up to and especially of the immediate, pre-revolutionary era.

The immense amount of material consulted, the care in the verification of its vast number of mere facts, and the patience shown in the organization of the mass of data, calls forth the highest praise for the author's scholarship. A very valuable and concise index adds much to the utility of the book alike to student and general reader. Besides furnishing the lecturer and student a handy collection of facts, the book ought to answer a general need in this day of agitation for election and nomination control, primary reform, etc.

JOHN L. CONGER.

*University of Michigan.*

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Patterson, C. Stuart. *The United States and the States Under the Constitution*. Pp. xli, 347. Price, \$4.00 net. Second Edition. Philadelphia: T. & J. W. Johnson, 1904.

In rewriting and bringing up to date an earlier work upon this subject, published in 1888, Professor Patterson, with the collaboration of Mr. Reeder, has rendered to all students and teachers of American political institutions a distinct service. Although the relation of the United States to the states has been many times determined by the adjudication of the courts, it is, nevertheless, a relation which is constantly undergoing adjustment. This has been particularly true during the last two decades when industrial and social developments have been so rapidly converting questions, which were formerly state and local problems, into national ones. The task of harmonizing this development with our constitutional law is the task of the lawyer and the judge, and it is because Professor Patterson has presented in a way to be understood by the layman the law as it stands to-day that his work is peculiarly timely and valuable.

The volume has, perhaps, too many of the earmarks of the law book to be read from cover to cover. After the manner of law books, its plan is analytical and topical. It contains the usual extensive table of cited cases, a fair table of contents and a somewhat less satisfactory index. The book is made extremely usable, however, for college and university work by the presence of voluminous footnotes, chiefly citations of the decided cases upon which the subject matter of the text is largely based.

The most valuable single portions of the book are probably Chapter IV, upon the regulation of commerce, which reviews the legislation and decisions up to and including the Northern Securities case; Chapter III, upon the relation of state and federal governments with reference to taxation, and Chapter X, upon the judicial power in state and nation. Other chapters deal with territories, implied powers, impairment of contracts, federal suprem-

acy and the reserved rights of states, and personal and property rights. Under this latter head several pages are devoted to the discussion of the important subject of foreign corporations in the several commonwealths and their status under the Constitution.

Professor Patterson's book does not claim to be an exhaustive philosophical treatise, but, like the recent book of Professor Freund on "The Police Power," and that of Judson on "Taxation," he has collected in usable form a large amount of legal information upon an important subject. His book will be much referred to by all students of American institutions.

WILLARD E. HOTCHKISS.

*University of Pennsylvania.*

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Smith, J. Russell. *The Organization of Ocean Commerce*. Pp. viii, 153. Price, \$1.50 paper; \$1.75 board. University of Pennsylvania, 1905. (John C. Winston Company, Philadelphia, selling agents.)

A notable contribution to the literature of economics is "The Organization of Ocean Commerce," by Dr. J. Russell Smith, instructor in Commerce in the Wharton School of the University of Pennsylvania. This subject has been treated by most economists since John Locke, but the discussion has been almost wholly concerned with the problem of commercial policy upon which there has never been any general agreement. For this reason, the scientific side of the subject which is concerned with the management of ocean transportation as a business, has been entirely neglected by English and American writers, although the Germans have paid some attention to it.

The present volume is unique among discussions of commercial problems in that throughout its one hundred and forty-one pages, the reader will search in vain for expression of opinion or large generalizations. The author confines himself exclusively to the presentation of facts and the description of processes. His study is exhaustive and much of it deals with materials which are inaccessible to the general reader. The result is a careful, accurate and minute analysis of over sea commerce, which cannot fail to be of the greatest interest, not merely to the student of commerce, but to those who are actually engaged in the business of ocean transportation.

The book is divided into three parts, viz.: Traffic, Routes and Shipping and Harbors and Port Facilities. Part I contains the most original and the most useful portions of the work. The author discusses at great length the service performed by the tramp steamer and the line vessel under the head of "speed, efficiency and economy." He shows the different kinds of commodities which are carried by the two classes of steamers, and predicts an extension of the field of the ocean liner. Of particular interest in the discharge of the charter traffic is the vivid description of the management of chartered vessels to take advantage of the opportunities of profitable traffic. The subject of Traffic is concluded with a review of ocean freight rates whose irregularity and impidity of character is illustrated by a comparison with railway charges.

Part II deals mainly with trade routes. These are divided into steam and sailing routes and exhaustive enumerations of each class are presented.

The subject of coal supply and coaling stations receives separate treatment, and there is an estimate of the probable effects of the Panama Canal upon ocean trade routes and coaling stations. The author was for two years connected with the Isthmian Canal Commission, and enjoyed exceptional opportunities for the study of the effects of the canal upon commerce. He has also drawn extensively, in this part of the subject, upon the work of Professor Emory R. Johnson, a member of the commission. The reader will be relieved to find that Dr. Smith has refrained from contributing to the subsidy discussion. His treatment of government control is occupied with government regulations for the protection of life and property in the construction of the ship in its loading and in regulations of departure and arrival; and in surveys of coasts, forecasting of weather, charts of ocean routes, protection by navies and signal codes.

Part III deals with harbors and port facilities, and concludes with a description of the handling of freight. Chapter XIII will be of great interest to residents of American seaports, in view of the discussion of the English methods of raising funds for port improvements. Dr. Smith seems to favor the plan there adopted, of the seaport town borrowing money for the necessary harbor improvements, and then collecting toll to pay the interest on the debt. It is difficult, however, to understand how this method could be applied to the improvement of certain Atlantic Coast harbors which have figured permanently in harbor legislation, unless the municipalities and states directly affected would consent to pay a considerable proportion of interest on the cost of construction, from the proceeds of taxation.

It may be remarked that Dr. Smith apparently fails to attach sufficient importance to the ownership of docks by railway companies. The tendency toward this form of ownership has been rapid in the United States in recent years. In at least one instance, the Illinois Central docks at New Orleans, the railroad company has gone so far as to offer the free use of its wharves and warehouses to all shippers over its line.

Dr. Smith's conclusions as to tendencies and commercial organization are, first, that safety to navigation will be increased; second, that knowledge of maritime and commercial conditions will be obtained in greater detail than in the present; and third, that the general change from sail to steam, and the increase in the size of steam vessels, and the power of engines, will result in the steady increase of speed and in shorter routes. As a result of these three factors, and also because the steamship line is now being operated in close alliance with railroads and because the percentage of raw materials in ocean traffic is rapidly increasing, trade will, in Dr. Smith's opinion, increase both in volume and steadiness of traffic.

At present the business of ocean transportation is the most irregular and uncertain in the world. Dr. Smith's discussion leads, however, to the conclusion that as the result of the facts above mentioned, and also, because of the increasing diversity of ocean commerce, it will eventually become an industry which, in respect to regularity and dependability, will be comparable to railway transportation.

Dr. Smith has produced one of the most satisfactory pieces of economic



investigation which has appeared in recent years. He has described in great detail the organization of the business of ocean transportation, and what is of even greater value, he has explained and discussed the operation of the principles which underlie the operations of this important industry. The book will be of practical value to all those who are engaged in the business with which it deals, as well as to students of commerce and commercial geography.

E. S. MEADE.

*University of Pennsylvania.*

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Veblen, Thorstein. *The Theory of Business Enterprise*. Pp. viii, 400. Price, \$1.50. New York: Charles Scribner's Sons, 1904.

The author presents his theory of the modern economic situation from the view-point of business traffic. The book lacks the desirable quality of terseness and the writer at times wanders from the main line of his subject. A commendable feature is the formulation of many of his statements in symbols of mathematics, which are not incorporated in the text, but in foot-notes. Modern business is no longer based so much upon mere commerce or trade as upon the processes of industry. We deal now in capital, in stocks and bonds, as well as in goods themselves. Industry is no longer so much a quest for livelihood as it is a seeking for profits.

The concluding chapters of the book dwell at some length upon the influences which this "machine process," as he terms the industrial situation, has upon the thought and civilization of the world.

While we may agree that the modern world does have a skeptical, materialistic, matter-of-fact attitude of mind, it seems rather strong to say this view is due to the machine process entirely. Is the Church not losing its influence largely because other institutions are coming in which do its old work more effectively than the church formerly did? In one sense it undoubtedly is due to that influence, for modern business is an outgrowth of the present industrial processes, and business methods have been adopted by these later and more effective institutions.

Business enterprise, to cite the author, may make our literature affected and archaic and may promulgate spendthrift aspirations. To imply that business enterprise will cause man to give up his spiritual beliefs is hard to accept.

JOHN C. DUNCAN.

*University of Pennsylvania.*

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Willoughby, Weston Woodbury. *The American Constitutional System*. Pp. xvi, 323. Price, \$1.25. New York: The Century Company, 1904.

This book contains within small compass a clear and usually exact statement of the constitutional aspects of the political organization of the United States, including the nature of the federal government, its relations to the states and other territory under its sovereignty, the political status of various classes of persons subject to it, and the relations of the states to each other.

Nearly one-third of the volume is devoted to the interesting but now somewhat academic question of the nature of the federal bond: whether it formed a confederacy or a nation; and to a discussion of the theory of the reconstruction acts. Professor Willoughby's analysis of the first of these subjects is not the most satisfactory part of his work. His inference from the circumstances of the adoption of the constitution is that the people desired and believed they were obtaining a legally indissoluble union by an agreement between sovereign states. Laying down the premise that this was logically impossible because sovereignty (according to recent definitions) cannot be divided, he further infers that if this dilemma of definition had been fairly presented to the people in 1788 they would have said: "If the orthodox definition compels us to elect between sovereignties we will choose that of the states." He therefore concludes that no truly sovereign national state received its organization by the adoption of the constitution, but that this result was reached by a peaceful revolution of public opinion during the next generation.

The real excellence of Professor Willoughby's work appears most plainly when he leaves this speculative field and deals with the actual political operation of the constitution as interpreted by the United States Supreme Court. Here he has been highly successful in stating the conclusions of a sound constitutional lawyer in a form readily comprehensible by intelligent laymen—an achievement not common. The scope of this part of the work may be best indicated by mentioning some of the subjects discussed, which include the supremacy of federal law, federal and state autonomy, federal and state powers, federal supervision of state duties, the acquisition of territory, the political and civil status of territorial inhabitants, citizenship, new states and interstate relations. As particularly interesting may be mentioned the author's views of the right of the United States to protect aliens, resident in a state (pp. 107-110); his discussion of the doctrine of "inherent sovereignty" as the source of implied federal powers (pp. 146-150, 196-197); the chapters on the acquisition of territory (XI-XII); and those upon the constitutional status of inhabitants of territories, including our "dependencies" (XIII-XIV, XVII). Regarding the last mentioned subject there is room for such reasonable divergence of opinion that it is difficult to find acceptable common ground upon which to base criticism. Perhaps all that can be demanded of a partisan in this field is that his argument be fairly consistent, and it is from this standpoint that Professor Willoughby attacks the position of the majority justices in the insular cases, particularly that of Mr. Justice Brown. In this, as in much of the controversial writing upon the question, it seems to the writer that Mr. Justice Brown has been misapprehended. When the latter affirms that the constitution was adopted by the states for the states, and that therefore it may well be thought that some at least of the prohibitions upon Congress were meant to apply only to its action in the states, it is surely not convincing to claim, as did Mr. Carlisle (approved by Professor Willoughby), that this logically involves the conclusion that Congress has no power at all outside of the states. Nor can it be asserted that the Justice is "indubitably incorrect" (p. 222) when he says that when Congress has once formally

extended the constitution to territories it cannot withdraw it. One may disagree with this *dictum*, and yet candidly admit that there is a sufficient analogy to the case of the admission of a state or the naturalization of an alien by Congress (neither of which could be revoked) to make this position a good way short of "indubitably" wrong. Another objection of Professor Willoughby to the *Downes* case, which seems unfounded, is that a tariff on goods between the states and a territory affects the states to some extent and so must be subject to the constitutional limitations upon Congress when legislating for the states. It should be noticed, however, that Congress is not forbidden thus to affect the states, so long as "duties are uniform throughout the United States." If Porto Rico be outside of the United States, as the court decided it was, within the meaning of "United States" in this clause, and if duties be levied equally upon all goods going from this island to any state, it would seem that uniformity is as much observed as in the case of duties on goods from England. As to duties on goods going from the states to Porto Rico the objection would be not lack of uniformity but that it was an export tax, a position inconsistent with a number of earlier *dicta* of the court which had declared "export" and "import" to be used in the constitution with reference to *foreign* countries only. (*Brown v. Houston*, 114 U. S. 622, 628; *Pittsburgh Coal Co. v. Louisiana*, 156 U. S. 590, 600.)

The author makes a slip (p. 152) in stating that the first eight amendments were an unnecessary precaution. As he points out elsewhere (p. 141) a power given to the United States is absolute, unless restrained by the constitution itself, and in the exercise of such powers property could easily be taken arbitrarily, or jury trials dispensed with, but for the amendments. The Tea Exclusion and the Oleomargarine Tax Cases just decided show how absolute the granted powers are construed to be. (*Buttfield v. Stranahan*, 192 U. S. 470; *McCray v. U. S.*, 195 U. S. 27.)

JAMES PARKER HALL.

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## NOTES ON MUNICIPAL GOVERNMENT

# Municipal Indebtedness

### A Symposium

- City of New York.**—By the Editor from material furnished by the Department of Finance.
- Boston.**—EDWARD M. HARTWELL, Secretary Statistics Department, Boston, Mass.
- Baltimore.**—SOLOMON BLUM, Johns Hopkins University, Baltimore, Md.
- Cleveland.**—F. E. STEVENS, Secretary Municipal Association, Cleveland, Ohio.
- Cincinnati.**—MAX B. MAY, Cincinnati, Ohio.
- Pittsburg.**—EDWIN Z. SMITH, Pittsburg, Pa.
- New Orleans.**—JAMES J. McLOUGHLIN, New Orleans, La.
- Milwaukee.**—JOHN A. BUTLER, Chairman Executive Committee, State Civil Service Reform Association, Milwaukee, Wis.
- Washington, D. C.**—GEORGE S. WILSON, Secretary Board of Charities, Washington, D. C.
- Providence.**—SIDNEY A. SHERMAN, PH. D., Providence R. I.
- Grand Rapids.**—DELOS F. WILCOX, Secretary of the Civic Club, Grand Rapids, Mich.
- Seattle.**—Professor J. ALLEN SMITH, University of Washington, Seattle, Wash.
- Duluth.**—W. G. JOERNS, Duluth, Minn.

### CITY OF NEW YORK

BY THE EDITOR FROM MATERIAL FURNISHED BY THE DEPARTMENT OF FINANCE.

*Total Indebtedness.*—The total gross funded debt of the City of New York (Greater City), at January 1, 1905, was \$558,265,517.60. The amount thereof held by the commissioners of the sinking fund for investment was \$157,330,352.85, leaving the net funded debt on said date \$400,935,164.75. In addition to the funded debt, so-called, there were revenue bonds issued in anticipation of the collection of taxes outstanding, amounting to \$34,457,000.

*Proportion Used in Profit-Bearing Enterprises.*—The amounts of the gross funded debt, as above, created for what are termed profit-bearing enterprises, such as water supply purposes, docks and wharves and rapid transit construction, are as follows: For water purposes, \$76,745,992.76; for docks and wharves, \$56,228,200; for rapid transit construction, \$43,616,000.

*Sinking Fund Provision.*—All funded debt created by the city is payable from sinking funds created by raising annually by taxation installments, which, with accumulation of interest thereon, will provide the amounts necessary for the redemption thereof.

*Amount of Sinking Fund.*—In addition to investments in stocks and bonds for account of the sinking funds of the City of New York, as shown above, to wit, \$157,330,352.85, there was on January 1, 1905, cash belonging to the sinking funds, amounting to \$865,660.21.

*Effect of Constitutional Limitations on Indebtedness.*—Under the constitution of the State of New York, municipalities are limited in incurring indebtedness to an amount not exceeding 10 per centum of the assessed valuation of its taxable real estate. This limitation covers not alone its net funded indebtedness, but also obligations incurred under contracts for public improvements, etc., as well as liability incurred by the city on account of acquisition of real estate for public purposes and judgments obtained against the municipality.

*Plans for Public Works Which Will Involve Increasing Indebtedness.*—The City of New York is committed to and has under consideration vast public improvements consisting of an extension of its water supply system, bridges over rivers and over tracks of railroads to abolish grade crossings, extension of its subway rapid transit railroads, extension of its park system, larger school facilities, enlargement of its fire and police departments, libraries, museums, buildings and hospitals for its health, charity and correction departments and the opening, grading, sewerage and paving of streets throughout the city.

## BOSTON

By EDWARD M. HARTWELL, Secretary Statistics Department, Boston, Mass.

### 1. Total Indebtedness.

#### Gross debt:

City debt .....	\$82,446,606.00
County debt .....	3,448,000.00
Cochituate water debt .....	8,224,000.00
	—————\$94,118,606.00

#### Sinking funds for:

City debt .....	\$23,202,184.92
County debt .....	888,512.52
Chochituate water debt .....	7,600,689.44
	—————\$31,691,386.88

#### Net debt:

City debt .....	\$59,244,421.08
County debt .....	2,559,487.48
Cochituate water debt .....	623,310.56
	—————\$62,427,219.12



## 2. Purposes for Which Created.

## City debt by objects:

Bath houses, gymnasias, etc. ....	\$446,300.00
Bennington street sewer damages .....	258,300.00
Bridges .....	1,067,416.66
Cambridge Bridge .....	1,050,000.00
Cambridge River Basin .....	800,000.00
Charlestown Bridge .....	1,555,000.00
Ferries .....	669,000.00
Improved sewerage .....	1,087,650.00
Metropolitan Park assessments .....	544,400.00
Miscellaneous .....	1,385,700.00
Public buildings, exclusive of school houses ...	6,729,632.46
Public grounds, etc. ....	195,200.00
Public parks .....	14,827,300.00
Playgrounds .....	1,156,610.98
School houses and sites .....	10,869,725.00
Separate systems of drainage .....	1,200,000.00
Sewers .....	7,366,260.00
Stony Brook .....	1,265,919.79
Sewerage charges, repayment of .....	15,000.00

## Widening, extending, grading and building streets, etc.,

## viz.:

Miscellaneous .....	\$9,184,990.11
Laying-out and construction of highways .....	9,937,201.00
Blue Hill and other avenues ....	2,402,000.00
Rapid Transit .....	4,416,000.00
Rapid Transit, East Boston Tunnel	3,018,000.00
Boston tunnel and subway .....	1,000,000.00
	<hr/> \$29,958,191.11

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\$82,447,606.00

Less matured ..... 1,000.00

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\$82,446,606.00

County debt for Court House ..... 3,448,000.00

Cochituate water debt, for water supply ..... 8,224,000.00

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Total .....\$94,118,606.00

3. *Proportion Used in Profit-Bearing Enterprises.*

Ferries .....	\$669,000.00
Rapid Transit:	
Tremont street subway .....	4,416,000.00
East Boston tunnel .....	3,018,000.00
Washington street tunnel .....	1,000,000.00
Water works .....	8,226,000.00
	<hr/> \$17,329,000.00
$\$17,329,000.00 = 18.41\%$ of $\$94,118,606.00$ .	

4. *Sinking Fund Provisions.*

Chapter XXXV, Section 3, Revised Ordinances of 1898 reads as follows, touching certain duties of commissioners of sinking funds:

SEC. 3. Said commissioners shall in their annual estimates, require for every sinking fund an appropriation sufficient, with the accumulations of the sinking fund, to meet at maturity, the debt for the payment of which it was created, requiring for a debt payable in five years from the time incurred, an appropriation of not less than  $23\frac{1}{4}$  per cent.; for a debt payable in ten years, an appropriation of not less than 8 per cent. of the amount of such debt; for a debt payable in twenty years, an appropriation of not less than  $3\frac{1}{2}$  per cent. of the amount of such debt; for a debt payable in thirty years, an appropriation of not less than 2 per cent. of the amount of such debt; and for a debt payable in forty years, an appropriation of not less than  $1\frac{1}{4}$  per cent. of the amount of such debt; provided, however, that said commissioners shall, when other payments have been applied, or transferred, to the sinking fund of any debt, require for that sinking fund an appropriation less by the amount of such payments than they would otherwise have required. In 1903-04, the sinking fund requirements were met by an appropriation of \$1,702,324.

5. *Amount of Sinking Fund.*

The amount of the sinking funds (see I above, viz.: \$31,691,386.88), includes two items:

(a) Sinking funds .....	\$30,383,612.58
(b) Betterments and assessments pledged ..	1,307,774.30
	<hr/> \$31,691,386.88

6. *Effect of Constitutional Limitations on Indebtedness.*

The limitations on indebtedness are statutory (see Revised Laws of Massachusetts, 1902) and not constitutional. Their general effect seems to be recourse to the legislature for permission to borrow outside the debt-limit; thus of the gross debt of city and county, viz.: \$94,118,606, that outside the limit is \$54,851,400, and \$40,267,206 inside the limit.

## 7. Plans for Public Works Which Will Involve Increasing Indebtedness.

These are best indicated by the following statement:

## LOANS AUTHORIZED, BUT NOT ISSUED, JANUARY 31, 1905.

OBJECT.	Inside limit.	Outside limit.	Borrowed to date.
South Union Station .....	\$425,000		
Cambridge Bridge .....		No limit to amount.	\$1,350,000
Repayment Sewerage charges .....		Amount required.	415,000
Atlantic Avenue Extension .....		No limit to amount.	375,000
Rebuilding Broadway Bridge .....	38,500		
Hospital for Consumptives .....	150,000		
Bath Houses, Gymnasia, etc. ....	30,000		
Street improvements .....	32,000		
Playground .....	170,000		
Northern Avenue, etc. ....		No limit to amount.	10,000
Land and buildings for School .....	994,800		
Brockton Street Bridge .....		No limit to amount.	
Soldier's Field Bridge .....		Not to exceed \$120,000 for Boston and Cambridge.	
Total .....	\$1,840,300		\$2,050,000

## BALTIMORE

By SOLOMON BLUM, Johns Hopkins University, Baltimore, Md.

At the present time the financial situation of Baltimore is of peculiar interest; not only because of the unsettlement occasioned by the fire, but because of the extensive improvements which an enlightened civic spirit demands for the increasing needs of a greater municipality.

The total revenue of the city for the year ending December 31, 1904, was \$12,217,846. Of this taxation yielded \$6,714,421; licenses, \$522,289; franchises, \$444,307; special assessments, \$17,122; fees and fines, \$20,286; quasi-private receipts, \$4,250,492.

The tax on general property yielded more than \$5,250,000, while the tax in arrears, including interest, yielded \$1,001,879. The tax on securities yielded only \$279,799. Included in quasi-private receipts were \$2,799,754 taken from the Western Maryland Railroad special funds for the Burnt District Commission. Water rents yielded \$828,788. The total taxable basis of Baltimore is approximately \$500,000,000. The borrowing capacity of the city has no legal limit, but before a loan may be issued the legislature must pass an enabling act; the council must enact an ordinance, and the proposed loan must be approved by a vote of the people. Though there is no legal limit to the possible debt contracting power of the city, the policy has been adopted of limiting the net funded debt to 7 per cent. of the whole taxable basis, in order to conform to the New York law, which allows saving insti-

tutions to invest in only such municipal bonds as conform to this proportion. According to this rule, Baltimore may have a net funded debt of about \$35,000,000. The total funded debt is \$39,962,882; deducting \$14,392,804, the amount in the sinking funds; \$8,627,500, invested in the water works; \$1,220,000, cost of the electrical subway; and other items amounting to \$2,518; the net debt of the city is \$15,721,059. The city may therefore contract a further debt of about \$19,250,000.

A loan of \$6,000,000 for dock improvements has been authorized, but not yet issued. At the May elections a \$1,000,000 park loan, a \$2,000,000 loan for street improvements in the annex, and \$10,000,000 for a sewerage system will be voted for. Even with these loans authorized, the city will still be within the 7 per cent. limit.

The problem, however, is how to float these loans without increasing greatly the burden upon the taxpayer. It is obvious that with a general property tax of \$2.11½ per hundred dollars, and a state tax of \$2.23½ per hundred dollars, Baltimore is no condition to stand greatly increased taxation. It does not seem necessary, however, that there should be a heavy burden upon the taxpayers. The dock improvement loan will be met by rentals of the docks; the park loan by the park tax from the car company (which is 9 per cent. of the gross receipts of the company); the annex loan will be met by an increase in the taxable basis in that part of the city, and by the contemplated improvements. There remains then the \$10,000,000 sewerage loan. This loan will probably be issued in five years' installments, so that the city will not have to bear the full amount until the end of this period. It is not too much to expect that at the end of that period the increased taxable basis will fully meet all the necessary interest and sinking fund requirements. Furthermore, permission will be asked of the legislature to levy, if necessary, a reasonable sewer rate upon the houses connected with the system.

All these loans, except the sewerage, are to be issued at 3½ per cent., and are to run fifty years. The sewerage loan is to run for seventy-five years. One feature that is particularly commendable is that a specific sum is to be set aside yearly for sinking fund purposes. It has been heretofore the custom to set aside a certain proportion of the tax rate for the various sinking funds. This led to disproportion between the size of the sinking funds and the amount to be redeemed. These loans must appeal to anyone who is in the least conversant with the needs of Baltimore. Not only are they necessary, but they are possible, with very little added burden upon the taxpayer. The credit of the city is good. Last year the city was able to borrow at the low rate of 2.87 per cent. This rate is higher than it seems; for the city pays the state tax on its bonds, and exempts them from city taxation. Moreover, a corporation owning Baltimore city stock, is exempt, to the extent of its holdings, from city and state taxation. These securities are consequently much sought after by Maryland corporations.

## CLEVELAND

By F. E. STEVENS, ESQ., Secretary Municipal Association of Cleveland.

The present total indebtedness of the city is \$21,739,402. This indebtedness was created in the making of various public improvements such as the market houses, fire and engine houses, public baths, water works, boulevards and in short for municipal construction and improvements of all kinds permitted by law to be undertaken by the city. That portion of the debt used in profit-bearing enterprises consists of \$3,950,000 for water works, \$150,000 for cemeteries and \$160,000 for market houses.

Provision for the retirement of bonds and the payment of interest is intrusted to a board of sinking fund trustees of four members appointed by the mayor. This board fixes upon the amount of tax levy to be employed in the creation of a sinking fund. It exercises its discretion in the investment of funds arising from taxation and when bonds are issued, it is first given the opportunity of purchasing these bonds as an investment. The par value of sinking funds, March 1st, was \$2,824,098. During recent years the average rate of levy for sinking fund purposes has been 2.5 mills on the dollar of tax valuation. The rate fixed for the current year is 2.9 mills. In addition to the amount raised by taxation for sinking fund purposes a portion of the earnings of the profit-making enterprises is applied to the payment of interest and the redemption of bonds.

The constitution of the state provides that the legislature shall restrict the power of taxation and contracting debts by municipal corporations "so as to prevent the abuse of such power." No specific limit of indebtedness is imposed by the constitution, but the legislature has provided that city councils may order the issuing of bonds for the raising of funds to an amount not in excess for any one year of 1 per cent. of tax value. By popular vote bond issues are authorized in excess of these limitations.

The bonded indebtedness of the city will be increased within the current year by almost \$3,000,000. Of this amount \$375,000 is to be employed in the extension and improvement of parks, \$100,000 for the construction of a municipal hospital, \$20,000 for a city farm school, \$500,000 for the elimination of grade crossings and \$20,000 for a public bath house. The remainder will be employed in sewer construction, the opening and improving of streets and additions to the water works system. The valuation of taxable property within the city, December 1, 1904, was \$205,831,745.

## CINCINNATI

By MAX B. MAY, ESQ., Cincinnati, Ohio.

On January 1, 1905 last, the total bonded indebtedness of the city of Cincinnati was \$36,818,140.38, of which \$35,483,142.42 were general bonds; \$1,334,997.95 were street improvement bonds. The general bond issue is largely made up of the following items: Consolidated sinking funds 3.65's, refunding old 6's and 7's issued for construction of Cincinnati Southern Railway; \$11,400,100 Cincinnati Southern Railway; terminals, \$1,500,000; Cincinnati South-



ern Railway construction bonds, old issue of 6's and 7's still outstanding, \$5,484,000. Total bonds issued for Cincinnati Southern Railway, \$16,353,000. The Cincinnati water works bonds varying at 3, 3.65 and 3.5's, \$6,828,600. The remaining bonds are for various municipal improvements, such as for schools, park purposes, hospital, workhouse and House of Refuge, sewer viaducts, bonded indebtedness of annexed villages of Clifton, Avondale, Westwood, Linwood, Winton Place, Riverside and Evanston. Inasmuch as the Cincinnati Southern Railroad is leased at an annual rental of \$1,090,000 and the city will derive revenue from the water works when completed, nearly \$2,400,000 or two-thirds of the bonded indebtedness is used in profit-bearing enterprises.

Under the new municipal code, in addition to all other taxes authorized by law, there must be levied and collected annually a tax upon property sufficient to pay the interest and provide a sinking fund, for the extinguishment of all bonds and funded debts, and for the payment of all judgments, which money cannot be used for other purposes. This sinking fund is managed by a board known as sinking fund trustees, composed of four citizens appointed by the mayor, not more than two of whom may be of same political parties. The sinking fund trustees shall invest all money received by them in bonds of the United States, the State of Ohio, of any municipal corporation, schools, townships or county bonds in the state, reserving necessary funds for expenses and all interest received shall be reinvested. On January 1, 1905 last, the sinking fund contained \$5,574,211.37, of which \$4,813,506.74 were bonds, \$206,060.35 interest funds and \$554,644.28 cash redemption fund.

Under the law council has the authority to issue in any one year bonds for municipal purposes, which shall not exceed 1 per cent. of the total tax duplicate, which is about \$220,000,000, but at no time shall there be outstanding a total bonded indebtedness under these provisions in excess of 4 per cent. of tax duplicate. However, by submission to special vote, additional bonds may be issued, but the total amount of such bonds outstanding shall not exceed 8 per cent. of tax duplicate.

Naturally this statutory limitation serves a very salutary purpose and tends to check the recklessness and extravagance of council. Every large city must increase its indebtedness, and Cincinnati in the near future will expend large sums of money to complete its water works and additional sums for park purposes, new city hospital and street improvements.

## PITTSBURG

By EDWIN Z. SMITH, Pittsburgh, Pa.

The population of the city of Pittsburgh, according to the United States census of 1900, was 321,616. The increase since that time is estimated at about 30,000; so that the present figure is not less than 350,000. The total bonded indebtedness of the city is \$21,002,001.87 and is therefore at a rate of \$60 per capita of population. The purposes for which this indebtedness was created are as follows:

Railroad compromise bonds, refunding an old debt incurred by the municipality for bonuses offered to incoming railroads..	\$2,182,901.87
Funded debt of the old city (long standing bonds issued for various municipal improvements) .....	621,000.00
Water extension; for enlargement of city water supply and delivery .....	725,300.00
Construction of municipal building; refunded .....	170,000.00
Construction of Fifth Avenue Market House .....	25,000.00
Street improvement funded debt .....	5,214,700.00
Debt of borough of East Birmingham, assumed on annexation ..	62,000.00
Improvement of water system .....	1,400,000.00
Boulevard improvements .....	350,000.00
Public Parks improvements .....	1,225,000.00
Construction of building for Department of Public Safety .....	350,000.00
Purchase of bridges across the Monongahela River .....	1,050,000.00
Temporary loans for use of Board of Health in stamping out small-pox epidemic .....	240,000.00
Loan of 1900; for a variety of purposes, viz.: water filtration, street improvement assessments, land for poor farm, land and buildings for engine houses and police stations, water mains, erection and repair of bridges, boulevards, purchase of turnpike road, and park extensions and improvements ..	6,300,000.00
Funded debt for 1904; for payment of certain judgments and assessments against city .....	1,086,100.00
	<hr/>
	\$21,002,001.87

The rate of interest paid upon the various bonds issued ranges from 7 per cent., the rate paid upon the oldest series of bonds to  $3\frac{1}{4}$  per cent. and 4 per cent. upon the later issues. No part of this indebtedness was incurred in behalf of municipal profit-bearing enterprises, unless the water system could be thus designated, the returns from this source somewhat exceeding the interest and expenditures. It is not, however, organized as an enterprise for profit.

The sinking fund provisions for Pittsburg are those contained in Article XI of the act passed by the legislature of Pennsylvania in 1901, and embodying the system of government of cities of the second class, viz.: those having a population exceeding 100,000, but less than 600,000. Under this article, the sinking fund is controlled by a commission composed of five persons appointed by the mayor, and holding office for five years in classes. As funds accumulate they are to be invested in the purchase of bonds of the city, or if these cannot be procured to advantage, then in bonds of the United States or State of Pennsylvania. Bonds of the city bought in for redemption are to be stamped conspicuously and shall never be reissued or sold. At maturity those held by the city are to be cancelled, and those representing the balance of the loan outstanding paid off and retired. Whenever any new bonds shall be issued, they shall be made payable in annual installments equal to the

taxes levied for the purpose and shall be paid annually from the funds so provided. A number of other regulations guide the sinking fund commission in the fulfillment of its duty. At the present time, the sinking funds have to their credit \$1,255,543.73 in cash, and hold bonds as investments under the sinking fund law to the amount of \$5,889,438.14.

The limitations placed by the constitution of the state upon municipal indebtedness have never inconvenienced or unduly restricted the city of Pittsburgh, as its assessed valuation has increased so rapidly that there has always been a fair margin upon which to base the necessary loans. The only municipal project now in view which will involve increased indebtedness, is the plan for an extensive sand filtration plant for the purification of city water. Of the bond issue noted above under the designation of the "loan of 1900," \$2,500,000 was for a filtration system and was at that time supposed to be sufficient. The construction of the filter plant was, however, postponed by litigation and other circumstances for about four years, and when revised from estimates then made, it was found necessary to add largely to the appropriation. An election was therefore held in February, 1904, by which an additional issue of \$5,000,000 of bonds for this purpose was authorized, and the contracts for the principal part of the work have been let. This last issue is not included in the list set out above, for the reason that it has not yet been sold, the original issue of 1900 furnishing enough money to begin the work. As, however, the indebtedness has been authorized and the work entered upon, the amount of the bond issue, to wit, \$5,000,000, may be fairly added to the total given above, thus making the total bonded indebtedness of the city of Pittsburgh \$26,002,001.87 with its water filtration system complete.

#### NEW ORLEANS

By JAMES J. McLOUGHLIN, Esq., New Orleans, La.

For many years the city of New Orleans was one of the worst managed cities, financially, in the country. The evil times of reconstruction left her not only stripped of wealth, but also burdened with a crushing debt. Most of this debt had been incurred by the "carpet-bag" governments, prior to 1874, and although it was morally certain that the city had received no benefits at all commensurate with the outstanding obligations, yet the forms of law had been observed in its creation, and she was held legally responsible for every cent. In the year 1879 a new state constitution limited municipal taxation to 1 per cent., but the courts decided that this limitation could not be applied to pre-existent debts, and whenever a creditor applied to court for the enforcement of a debt created prior to 1879, the court directed the levy of a special tax to pay it. In 1882 these special judgment taxes amounted to 16¾ mills on the dollar.

Realizing the desperate condition of affairs, the people of New Orleans bent to the task, and after great privations—some of them being a closing of the public schools for five months every year, a practical abolishment of

police protection for many years, a neglect of all public improvements and scores of other deprivations which now are considered the very necessities of municipal life—after suffering all this for a period of nearly ten years, we have risen from the slough of despond, without the repudiation of a single dollar of debt, honest or dishonest, without the scaling of a single bond, and without passing a single interest coupon. To-day, our city's credit is of the highest, her bonds are all above par—the highest at 140 per cent.—our current obligations promptly met, our schools well sustained and millions of dollars being spent yearly for public improvements. Our rate of taxation for municipal purposes, including interest and sinking fund on our bonded indebtedness, is only \$22 per \$1,000.

In 1882 our total debt, floating and bonded, was \$20,059,315.50. On December 31, 1904, it was \$24,632,656.11, of which \$24,158,937 represents the bonded indebtedness. Three million nine hundred thousands dollars of these bonds were issued to pay for the water works and drainage system, which are now under construction, and to complete which, the balance of an issue of \$12,000,000 will be devoted. This bond issue has been authorized by constitutional enactment, and its result will be the conversion of an antique town into a modern city. The remaining \$20,258,937 of bonds were issued to take up older issues, to settle judgments and floating indebtedness, and the grand total represents an assumption at par and accrued interest of all that terrible burden of debt, tainted with every kind of fraud and dishonesty, left us as a legacy from the reconstruction period. Thus for generations the people of New Orleans will be toiling to pay for the few short years of that saturnalia of crime that, after the armies had left the field, afforded to the vultures and campfollowers the opportunity to drain the life blood from a stricken people.

The floating indebtedness, \$472,693.59, consists of \$19,178.80 of unpaid obligations created prior to 1879, which have never been presented for payment—and are probably destroyed, and will never be heard from—and \$453,514.79 certificates issued in recent years for street paving, public improvements, etc., which under our system of law are retired in annual installments, from taxes, and are not bonded, as they rarely ever run longer than three or four years.

Of our bonded debt, none is invested in profit-bearing enterprises, except that the city owns a number of market houses, that were built years ago, and probably the certificates that paid for them were funded years ago into bonds. These market houses, worth probably about \$1,500,000, produce an annual revenue of about \$150,000. The water works system belongs to a private corporation, but within a few years the city will own her own water system, as it will be constructed out of the \$12,000,000 sewerage and water bonds, referred to above. This will give her some revenue, as she will save the \$108,000 she now annually pays for water for public purposes, and in addition to that she will derive a revenue from sale of water to private consumers. The present company nets \$140,000 annually from its operation with defective pipes, and poor machinery.

At present our bonded indebtedness has practically no sinking fund

Owing to the poverty of the city, when the debts were refunded, and the pressing need for every dollar raised to pay the interest, we were unable to provide any sinking fund. A part of our debt is what are known as "Premium Bonds." These bonds are of the par value of \$20 each, and are payable in fifty years from their date (1875); the interest, 5 per cent. per annum, is not paid annually, but when the bond is paid. By a species of lottery scheme, some \$200,000 of these bonds are redeemed each year, and when redeemed, a number of money prizes, some as high as \$5,000, some as low as \$20, are distributed by lot amongst the holders of the redeemed bonds. Thus the holder of a premium bond may have his investment terminated any year, and when terminated, he is sure to receive his principal and accrued interest since 1875, and in addition thereto he may receive a prize of substantial value. Until the last of the premium bonds is paid, which will be in 1925, there will be no sinking fund for the other bonds, but then the fund which now goes to the extinguishment of the premium bonds will be applied to the payment of the other issues, all of which mature after 1925.

The constitution of Louisiana limits our city indebtedness to its present amount, practically by devoting the present tax of 1 per cent., known as the public debt tax, to the present bonds (with the exception of the sewerage and water bonds), and forbidding any other debt that may prejudice the holders of these consolidated bonds. It also limits taxation for municipal purposes to 1 per cent. per annum, and by special laws the city is forbidden to incur any debt for alimony purpose beyond her annual tax levy.

Five years ago by a vote of the property taxpayers, subsequently ratified by an amendment to the constitution of the state, the people of New Orleans authorized the issuance of \$12,000,000 of bonds to pay for a sewerage, water and drainage system for the city, to be provided for by an annual tax of two mills on every dollar of property in New Orleans, and it is of these that the \$3,900,000 mentioned above were issued. These bonds mature in 1950 and bear 4 per cent. interest. As they mature after all other outstanding bonds, they will, after the other bonds are paid, inherit the surplus arising from the older 1 per cent. tax now devoted to these older bonds. In addition to the two mill special tax, these sewerage, water and drainage bonds receive by law certain surpluses resulting from certain departments of the government, and are considered so good an investment that to-day they sell at 107 on the stock market.

The assessed valuation of New Orleans is increasing rapidly, and as the rate of taxation for bonded debt is fixed,—two mills for the sewerage bonds, and ten mills for all the others combined—the revenue available for debt purposes increases annually, and will be used for reduction of the debt whenever possible. In this connection it may be well to note that all the funds pertaining to the public debt are handled exclusively by a body known as the board of liquidation of the city debt, which is composed of bankers and business men, in the majority, with three or four city officials in the minority. This board is free from any control by the city authorities. It is a constitutional board, and even the legislature cannot control it. It is self-perpetuating, and all vacancies (except those of the city officials on it) are filled by the



remaining members. Free, therefore, from all political influence, and possessed of unlimited powers in the handling of its funds, it has done more than anything else to establish confidence, in the minds of capitalists, in our municipal securities.

The assessed valuation of New Orleans in 1880 was \$91,117,918; assessed valuation for 1904 was \$158,584,194. Beyond the sewerage, water and drainage system now under construction, New Orleans has no plans under way for public works which will involve increasing indebtedness, beyond the usual street paving and public improvements paid for annually out of the taxes collected annually, of which by law 20 per cent. must be devoted to works of public improvement.

Appended herewith is an extract from the report of the board of liquidation, dated December 31, 1904, to which is added the Stock Exchange quotations for the bonds named, on March 31, 1905, all of which tend to show that the city of New Orleans stands to-day before the world as on the road to that prosperity which is the lot of every community that places honor above expediency, and that will sacrifice her all, rather than repudiate a single dollar of her public obligations.

## BOARD LIQUIDATION CITY DEBT.

NAME.	Amount.	Maturity.	Interest.	Annual Interest.	Stock Exch'g Quotation, March 31, '05.
Constitutional Bonds, Coupon . . . . . \$9,788,000					
Constitutional Bonds, Registered Certfs. . . . . 212,000					
	\$10,000,000	1942, July 1.	4 %	\$400,000	109
Premium Bonds . . . . .	4,002,940	Annually.	5 %		242
Public Improvement Bonds . . . . .	3,000,000	1950, July 1	4 %	156,000	107
Floating Debt Bond . . . . .	233,000	1948, Oct. 1.	4 %	9,320	100
Gold Bonds . . . . .	117,000	1922, July 1.	7 %	8,190	140
Street Improvement . . . . .	10,000	1911, Aug 1.	7.30 %	730	.....
Total Bonded Debt. . . . .	\$18,262,940			\$574,240	
Five per cent interest on \$4,002,940					
Premium Bonds from July 15, 1875, to Dec. 31, 1904, inclusive	5,895,997				
	\$24,158,937				

**MILWAUKEE**

By JOHN A. BUTLER, Chairman Executive Committee, State Civil Service Reform Association, Milwaukee, Wis.

The total bonded indebtedness of Milwaukee on March 1st of this year was \$7,092,750. The indebtedness like that of other cities is incurred for the conduct of public enterprises of various kinds: Schools, bridges, water works, public library and museum, public parks, sewerage, street improvements, public baths, fire and police departments, viaducts, etc.

Water bonds comprised in the above indebtedness are as follows:

Water of 1886, due January 1, 1906, 4 per cent. ....	\$25,000
Water of 1887, due January 1, 1907, 4 per cent. ....	39,000
Water of 1890, due January 1, 1900, 4 per cent. ....	125,000
Water works of 1893, due July 1, 1903, 5 per cent. ....	56,250
Water works of 1895, due July 1, 1904, 5 per cent. ....	50,000
Water works of 1896, due July 1, 1916, 5 per cent. ....	60,000
Water Department, construction of 1890, due July 1, 1900, 4 per cent. .	25,000
City water of 1892, due July 1, 1912, 5 per cent. ....	20,000

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\$400,250

The city sets aside each year 5 per cent. of the original amount of issue for retirement; for instance it issues \$1,000,000, which will run twenty years and retires \$5,000 each year. That amount must be provided for in the tax levy, together with the interest necessary for the amount of bonds outstanding. The amount set aside for interest and sinking fund for 1905 was \$800,000. The constitutional limit on indebtedness is 5 per cent. of the assessed valuations, but the city is restricted to 5 per cent. of the average assessed valuation of the last five years.

The plans for public works which will increase the indebtedness, comprise the construction of two viaducts which are expected to cost about \$800,000. It is also proposed to issue dredging bonds. The government is expected to appropriate something like \$350,000 for this purpose, and the city a like amount. There is "talk" of a lighting plant, which will require an initial bond issue of about \$150,000. The city has just sold \$620,000 of bonds to R. L. Day & Co. and Easterbrook & Co., of Boston, and its securities are in uniform demand as an investment.

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**WASHINGTON, D. C.**

By GEORGE S. WILSON, Secretary Board of Charities, Washington, D. C.

The total indebtedness of the District of Columbia at the close of the fiscal year ended June 30, 1904, was as follows: Bonded debt, \$12,492,700.00; floating debt, \$1,349,661.69; total, \$13,842,361.69.

The bonded indebtedness was created for the purpose of making general public improvements in the line of grading and paving streets and constructing sewers, etc. While this indebtedness was created at different times and

for various purposes, the entire indebtedness was rearranged about the time of the organization of the present form of government in 1878, and bonds were issued for the entire amount, without any distinction as to the purposes for which the indebtedness had been created. Hence, since that time, there has been no separation of items of indebtedness, such as water bonds, sewer bonds or street improvement bonds, the entire amount being represented by a single issue, known as "the bonded debt of the District of Columbia." The bonds bear an annual interest of 3.65 per cent. The floating indebtedness arises from cash advances made to the district by the United States treasury under authority of Congress, and represents the proportionate part of appropriations, actually advanced for expenditure, payable from the revenues of the District of Columbia in excess of the revenues collected by the District. Under existing legislation this indebtedness, and any increase thereof which may be made, must be repaid to the United States treasury within five years from July 1, 1906. An annual interest charge of 2 per cent. on this character of indebtedness is paid by the District.

No part of the indebtedness of the District of Columbia was created for profit-bearing enterprises.

The interest and sinking fund on the bonded indebtedness is provided by annual appropriations made by Congress, payable one-half by the United States and one-half by the District of Columbia. With a few exceptions, all appropriations made for the District of Columbia are met one-half by the United States and one-half from the revenues of the District of Columbia.

With the annual appropriations made by Congress, the Treasurer of the United States, as *ex-officio* commissioner of the sinking fund of the District of Columbia, retires, by purchase in open market, bonds to the extent of the appropriations at his disposal, so that the bonded indebtedness is diminished, year by year, by the amount of such retirements. In this way there is, therefore, no accumulation of cash or other assets in the sinking fund.

The one limitation on the District's bonded indebtedness is that prohibiting an issue of a greater amount than \$15,000,000. This limitation is a legislative enactment, and of course Congress can modify it at any time. There can be no constitutional limitations of any kind in the District of Columbia, except the United States constitutional limitations. Congress, acting under the constitution, has exclusive jurisdiction in all matters in the District of Columbia.

Several large enterprises, in the way of public works, are, at the present time, being carried on, and others are contemplated in the immediate future, which will affect the indebtedness of the District of Columbia. The more important of these public improvements are: a sewer system, a filtration plant, a municipal building and the elimination of grade crossings. During the past few years there has been considerable agitation in the District, in favor of a bond issue to provide for large permanent improvements that are deemed immediately necessary. Congress has so far failed to approve of such a measure, but instead thereof, when it has seen fit to authorize certain improvements, involving expenditure of large sums of money, it has made appropriations for them in the same manner as for the annual running

expenses of the District government. The result has been a considerable deficit, and Congress has provided for this by authorizing the Secretary of the Treasury to make advances from the United States treasury sufficient to meet any deficit in the revenues of the District of Columbia, and has provided that these advances shall be repaid within five years from July 1, 1906, with an annual interest rate of 2 per cent. Thus has been created the floating debt of the District of Columbia. It would seem to be the purpose of Congress to provide for all public improvements in this manner, apparently expecting that all necessary improvements can be paid for within a comparatively short period.

#### PROVIDENCE

B SIDNEY A. SHERMAN, PH. D., Providence, R. I.

The total indebtedness of the city of Providence at the close of the financial year ending September 30, 1904, was \$18,231,834.38. Various sinking funds amounted to \$4,759,128.59, leaving a net debt of \$13,472,705.79.

The largest single items in this great debt were \$5,445,500 for sewers, and \$5,647,000 for water works. There was also \$2,150,000 for highways, \$1,689,000 for schools and \$1,265,613.55 for parks, besides several smaller items.

The water works are the only profit-bearing enterprise which this city has undertaken, but they are so good an investment that the city ought to be encouraged to take up other public utilities, like the gas works, electric lighting, and eventually the street railways. Of the net debt of thirteen and a half millions, four and a quarter is for water, making a little less than one-third of the whole. The total receipts of the water works were \$676,752.22. The cost of maintenance was \$172,312 and interest on bonds \$225,265. A few thousand out for other items left a net balance of \$275,961.55, which was paid to the sinking fund. The total cost of construction has been seven million dollars, so that the debt is being extinguished and a 4 per cent. on the cost is being paid at the same time, besides maintaining the system.

Against the water debt is a sinking fund of \$1,389,718.17; for highways the sinking fund is \$718,066.08; for schools, \$573,471.35; for sewers, \$1,491,763.39, and for parks, \$254,265.39, making, with minor amounts, a total sinking fund of \$4,759,128.59, as stated above.

Chapter XXXVI, of the general laws of the state, Section 21, provides that, "No town shall, without special statutory authority therefor, incur any debt in excess of 3 per centum of the taxable property of such town." The total valuation of Providence is \$208,000,000, and 3 per cent. of that sum is \$6,240,000. The net debt is more than twice that amount. It is the practice of the city council, when desiring to incur a new debt, to apply to the general assembly for permission to do so, and as far as I remember the permission has always been granted; so that the law is at most mildly deterrent.

The indebtedness will be further increased by something like a million dollars by the construction of a sand filtration plant for the water works. Plans for a hospital for contagious diseases and for a large addition to the

Technical High School, will, if carried out, also increase the debt by perhaps a hundred thousand dollars.

As our population is approximately 185,000, our net debt is \$73 per capita. Notwithstanding this large debt, the credit of the city is very high, and its bonds always sell at a premium.

#### GRAND RAPIDS

By DELOS F. WILCOX, Secretary of the Civic Club, Grand Rapids, Mich.

The total funded debt of the city at the present time is \$2,204,000, which has been created for the following purposes: For water works, \$1,025,000; school sites and buildings, \$219,000; bridges, \$150,000; public lighting plant, \$125,000; market site, \$75,000; street improvements, \$160,000; special loan to meet deficit in current expenses ten years ago, \$150,000.

It should be noted that the street improvement loans are wholly met by special assessments, no burden falling upon the general tax rolls at all except for special assessments that cannot be collected. An analysis of the purposes for which the debt was created shows that \$1,225,000, or about 55 per cent., of the total debt has been incurred for enterprises that might be classed as profit-bearing, if they showed no loss in operation. Our water works have thus far been unable fully to take care of themselves, largely on account of the impure supply, and to some extent on account of the competition, feeble though it is, of a private company. The city market scarcely pays its running expenses and the interest on the bonds. The lighting plant is used only for lighting the streets, but has shown a considerable saving to the city over the expenses of lighting by contract. Two years ago the legislature established for the city a board of sinking fund commissioners, composed of the mayor, the city clerk, the city comptroller, the city treasurer, the chairman of the committee on ways and means of the common council and two citizen freeholders elected by them. This board has charge of the sinking fund which is provided for the payment of a part of the public debt. The common council is required to levy every year a tax of not less than one-fifth mill or more than four-fifths mill on each dollar of valuation for the benefit of the sinking fund. Under this requirement the minimum levy of about \$15,000 amounts to considerably less than the interest on the city bonds, strictly so-called, the water works debt, the school debt and the street improvement debt being excluded. The city attorney has held that the interest on the debt is a part of the debt and, therefore, that the levy referred to need not necessarily be applied to the redemption of the principal. No provision whatever is made in the sinking fund for the water bonds or for the school bonds. Only about \$57,000 water bonds have ever been paid during the thirty years since the city first established its water works. The school bonds are paid out of taxation from year to year as they fall due. A movement is on foot to have the sinking fund act amended so as to give the sinking fund commissioners responsibility for all the debt of all the city departments, and make provision for the retirement of the bonds as they mature.

There is no direct constitutional limit upon the debt of cities in Michigan,



but the legislature is required to make provision for the incorporation of cities and to "restrict their powers of taxation, borrowing money, contracting debts and loaning their credit." Under its charter the city has no general authority for borrowing money. There is no limit, however, to the amount of water bonds that may be issued, if the people vote for them. School bonds also may be issued to an unlimited extent by the Board of Education, subject to the approval of the common council. The city also has authority to make loans for a few other specific purposes.

On April 3d the people will give an advisory vote upon the question of issuing \$104,000 additional school bonds for the purpose of extending manual training to the high schools and relieving the overcrowding. An authoritative referendum will be taken on the issue of \$700,000 water works bonds for the following purposes: (a) For new pumping machinery, \$110,000; (b) for a new water supply, \$440,000; (c) for a filtration plant, \$150,000.

The unsatisfactory condition of the water supply of Grand Rapids has been a source of endless trouble to the city and the project now on foot is to remove the water works intake to a point on Grand River above the local sources of pollution, collect all the ground and spring water that can be found in the vicinity, taking the balance that is needed from the river and purifying it by a system of filtration not yet determined on. A bill to repeal the charter of the Hydraulic Company, which has been supplying water in a feeble way for more than fifty years, has just passed both houses of the legislature and is awaiting the governor's signature. The removal of this decrepit company from the local field will greatly simplify the political aspects of the water question in Grand Rapids. At the present writing, however, it seems very doubtful whether the proposed bond issues for a pure water supply will carry.

#### SEATTLE

By PROF. J. ALLEN SMITH, University of Washington, Seattle, Wash.

Seattle has a bonded debt of \$4,635,000 created for the purposes indicated in the following table:

Amount.	When Created.	Purpose.
\$1,090,000	1891 and 1893....	To fund warrants issued from 1889 to 1893.
240,000	1892.....	On account of insufficient tax levy in 1892.
275,000	1892.....	To pay judgments against city.
220,000	1892.....	Property condemned in widening and straightening streets after the fire of 1889.
645,000	1890-1893 .....	Construction of main sewers.
100,000	1902.....	Public library site.
175,000	1905.....	City jail.
1,050,000	1891 and 1892....	Purchase, betterment and extension of water plant.
840,000	1903-1905 .....	Construction of municipal light and power plant to furnish light for both public and private use.

The city jail bonds above mentioned and \$250,000 of the municipal light and power bonds have just been sold. Taxes must be levied for the payment of all interest on the bonded indebtedness of the city, and funds must be provided for the payment of bonds by tax levy during the seven years preceding their maturity.

In addition to this general municipal indebtedness there were outstanding, January 1, 1905, local improvement bonds aggregating \$1,447,926.19. These are merely a lien upon the property benefited and not a debt for which the city is liable. This local indebtedness will be increased by a large amount during the present year if the plans now being matured for street improvements are carried out.

There were also outstanding on January 1, 1905, Cedar River water supply warrants to the amount of \$1,100,000. They were issued for the purpose of constructing a gravity system which would ensure an adequate supply of pure water. These warrants constitute a special debt, the interest and principal of which are to be paid out of the earnings under municipal operation. This is an example of the method which may be employed in this state to evade the constitutional limitations on municipal indebtedness. The ordinance authorizing the sale of these warrants made provision for a special fund for their payment by setting aside for that purpose 75 per cent. of the gross revenue from private consumers and obligated the city not to reduce the charges for water to such an extent that 75 per cent. of such revenue would be less than it was at the time these warrants were issued. The supreme court of this state has held that inasmuch as these warrants are to be paid out of the income which the city obtains from the operation of the plant, they are not an indebtedness of the city within the meaning of the constitution of Washington. The first case in which that body upheld the right of a city to exceed the constitutional debt limit for municipal ownership purposes was decided in 1895. (*Winston v. Spokane*, 12 Wash.) The use thus made of the special fund device was expressly sanctioned by the legislature in 1897 in an act which authorized cities to establish municipal ownership of water works, light, power and heating plants and cable, electric or other railways. The constitutional limitations are interpreted as applying only to general municipal indebtedness. After a city has reached its debt limit it may issue local improvement bonds or create a special debt for the purpose of municipal ownership.

#### DULUTH, MINN.

By W. G. JOERNS, ESQ., Duluth, Minn.

*Indebtedness.*—The total bonded debt of Duluth, excluding indebtedness of the independent school district, was, on January 1, 1905, \$5,245,250, on an assessed valuation of, in round numbers, \$30,000,000, of which the real property valuation comprises \$23,000,000. Of this bonded debt \$2,606,000 are so-called "water and light" bonds, which are the bonded indebtedness on the municipal water and gas plants and are a special lien on such plants. These

plants are more than self-sustaining, and under six years of municipal operation, in addition to securing and safeguarding an absolutely pure water supply, the water and gas rates have been reduced practically one-half. An additional \$140,000 of water and light bonds have just been voted by the electorate for necessary extensions of the system to outlying districts, and \$100,000 of general fund bonds, heretofore authorized by special legislative enactment for an aerial ferry bridge across the ship canal which forms the entry from Lake Superior to the bay and harbor of Duluth, are awaiting the final completion of the bridge. The bonded indebtedness of the independent school district of Duluth, as already set out in the January, 1905, number of the *ANNALS*, is \$1,037,000, against which, as an offset, the present school assets in buildings, sites, equipment, etc., are appraised at \$1,868,000.

Deducting the water and light bonds aforesaid, we find the general bonded indebtedness of the municipality to be \$2,639,250. Of this amount \$99,000 are for a so-called permanent improvement revolving fund, which forms a special nucleus for street improvements and is, theoretically, at least, supposed to be constantly replenished through special assessments levied for such improvements; \$312,000 are park bonds, and for this expenditure Duluth has a substantial asset in a splendid system of parks. The remainder of the indebtedness has been accumulated as the years rolled by, not a little as the result of unwarranted waste and extravagance of the "boom" period antedating the panic of '93, particularly in outlying districts that were later incorporated into the city proper.

The interest rate on the bonds varies from 4 per cent., the going rate of the later issues, to 6 per cent. for the earlier ones, especially those of the outlying sub-divisions. The average rate is estimated at 4.69 per cent.

Duluth has no floating indebtedness. Under the provisions of her "home rule" charter the city is run on a strictly cash basis, the only infringement on which, even in form, is the issue from time to time of certificates of indebtedness in anticipation of tax apportionments, and this only under strict charter regulation. Before the adoption of the new charter a large floating indebtedness had accumulated, referable in part to bad financiering in the city proper as it existed before taking into the corporate limits surrounding additional territory, in part to defaults in the payment of assessments for street improvements and, to an important extent, the accumulated indebtedness of the newer sub-divisions which later became a part of the city. By special legislative provision in the charter enabling act the city was authorized to, and did, in fact, fund this debt and the \$733,000 of "refunding" bonds, which are included in the city's bonded debt, are the result.

*Sinking Fund.*—The charter provides for the annual levy until the payment of the total bonded indebtedness of the city is provided for, of "at least one mill on the dollar of the assessed valuation of all taxable property in the city" for sinking fund purposes, which, however, "shall be applied only to the payment of the principal of bonds . . . when the same shall become due." In addition, all excess tax collections for interest and all revenues of the city, not otherwise appropriated, shall be paid into the sinking fund. Collections on all assessments levied prior to the adoption of the present

charter (March 8, 1900) are likewise being credited to the sinking fund. This, as already suggested, with reference to the "refunding" bonds, is because the city's general bonded debt stands in part for expenditures for street improvements to which such assessments apply. The sinking fund on January 1, 1905, amounted to \$110,819.97. The management and investment of the sinking fund is vested in the mayor, comptroller, treasurer and city attorney as ex officio sinking fund commissioners of the city, subject to the general direction of the common council.

*Limitation of Indebtedness.*—Under the "home rule" charter enabling act, municipalities are restricted in their debt-creating capacity within certain defined limits. There is also a general statutory provision on the subject that applies generally to the minor political subdivisions of the state. The class to which Duluth belongs is restricted to 5 per cent. of the total value of the taxable property of the city as returned for taxation, subject, however, to the following special exceptions: (1) Where limit has been already reached or debt exceeds 5 per cent. limit at time of incorporation, bonds may be issued to pay floating debt, to be used solely for such purpose. (2) Certificates of debt for permanent improvement fund are not to be considered as a part of the debt for the purposes of this limitation. (3) Water and light bonds for water and light plants "already in existence" prior to incorporation and all additional issues for the extension, enlargement and improvement of such plants are likewise excluded from the 5 per cent. limitation.

It follows from the foregoing that for some time at least no additional public utilities can be acquired by the municipality without special legislative sanction. There are no constitutional inhibitions on the general debt-creating power of Minnesota municipalities.

*New Public Works Involving Increased Indebtedness.*—The aerial ferry bridge, which is practically completed, and the proposed extensions of the water and gas service, for which bonds were recently voted, have already been referred to as involving an increase of the city's bonded debt. There is also a movement on foot seeking legislative sanction for the acquirement of a municipal electric lighting plant. There are strong indications, however, that the private company and other special interests in sympathy with it may succeed in controlling legislation on the subject and that the people will be thwarted in their desire.





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ABBREVIATIONS.—In the Index the following Abbreviations have been used: *pap.*, principal paper by the person named; *com.*, communication by the person named; *b.*, review of book of which the person named is the author; *n.*, note by the person named; *r.*, review by the person named.

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